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सं. २५] नई दिल्ली, शनिवार, जून १९, १९८२/ज्येष्ठ २९, १९०४
No. 25] NEW DELHI, SATURDAY, JUNE 19, 1982/JYAISTHA 29, 1904

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह भलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड ३—उप-खण्ड (II)
PART II—Section 3—Sub-section (II)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence)

गृह मंत्रालय

(कानून और प्रशासनिक सुधार विभाग)

नई दिल्ली, १ जून, १९८२

क्रा० आ० २२२१—केन्द्रीय सरकार, दंड प्रक्रिया संहिता १९७३ (१९७४ का २) की धारा ३४ की उपधारा (३) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, श्री दाऊद भाई आर्द देसाई, अधिवक्ता अहमदाबाद को, मुख्य न्यायिक मजिस्ट्रेट अहमदाबाद (ग्रामीण) नरोल के न्यायालय में मै० बीरजी निरवास एडवोकेट, अहमदाबाद (गुजरात) के विरुद्ध केस सं० भार० सी० ४/७७ में आई यू (ई)-१ नई दिल्ली के अभियोजन का संचालन करने के लिए विशेष लोक अभियोजक के रूप में नियुक्त करती है।

[संख्या २२५/८/८२-ग० आ० डा०-II]

एम० सी० राव, उप सचिव

MINISTRY OF HOME AFFAIRS

(Department of Personnel and Administrative Reforms)

New Delhi, the 1st June, 1982

S.O. 2221.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Shri Dawoodbhai I. Desai, Advocate, Ahmedabad as Special Public Prosecutor for conducting the prosecuting of case

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No. RC, 4/77/CIU(E)-I, New Delhi against M/s. Virji Shivdas and Sons, Amreli (Gujarat) in the court of the Chief Judicial Magistrate, Ahmedabad (Rural) Narol,

[No. 225/8/82-AVD. II]

M. C. RAO, Dy. Secy.

बिस्म मंत्रालय

(राजस्व विभाग)

नई दिल्ली, ४ मई, १९८२

(आय-कर)

क्रा० आ० २२२२—केन्द्रीय सरकार, आय-कर अधिनियम, १९६१ (१९६१ का ४३) की धारा १० की उपधारा (२३-ग) के खंड (V) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सोसाइटी ऑफ बि हालस प्राफ मैरी, लिमिटेड को निर्धारण वर्ष १९७९-८० से १९८२-८३ के अन्तर्गत आने वाली अवधि के लिए उक्त धारा के प्रयोजनार्थ अधिसूचित करती है।

[सं० ४५९६ क्रा० सं० १९७/१६८/८० प्रा० क (ए I)]

MINISTRY OF FINANCE

Department of Revenue

New Delhi, the 4th May, 1982

(INCOME-TAX)

S.O. 2222.—In exercise of the powers conferred by clause (v) of sub-section (23C) of Section 10 of the Income-tax Act,

(2291)

1961 (43 of 1961), the Central Government hereby notifies "Society of the Daughters of Mary, Trivandrum" for the purpose of the said section for the period covered by the assessment years 1979-80 to 1982-83

[No. 4596/F. No. 197/168/80-IT(AI)]

नई दिल्ली, 13 मई, 1982

(आय-कर)

का०आ० 2223.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23-ग) के खण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, डोहनावूर फेलोशिप, को निर्धारण वर्ष 1982-83 के अन्तर्गत आने वाली अवधि के लिए उक्त धारा के प्रयोजनार्थ अधिसूचित करती है :

[सं० 4605/का०सं० 197/167/81-आ०क(ए I)]

New Delhi, the 13th May, 1982

(INCOME-TAX)

S.O. 2223.—In exercise of the powers conferred by clause (v) of sub-section (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Dohnavur Fellowship" for the purpose of the said section for the period covered by the assessment year 1982-83.

[No. 4605/F. No. 197/167/81-IT(AI)]

(आय-कर)

का०आ० 2224.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (32-ग) के खण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री हरिहर पुत्र संजत (रजिस्टर्ड) को निर्धारण वर्ष 1979-80 से 1982-83 के अन्तर्गत आने वाली अवधि के लिए उक्त धारा के प्रयोजनार्थ अधिसूचित करती है ।

[सं० 4604/का०सं० 197/173/81-आ०क(ए I)]

(INCOME-TAX)

S.O. 2224.—In exercise of the powers conferred by clause (v) of sub-section (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Shree Hariharaputra Bhajan Samaj (Regd.)" for the purpose of the said section for the period covered by the assessment years 1979-80 to 1982-83.

[No. 4604/F. No. 197/173/81-IT(AI)]

(आय-कर)

का०आ० 2225.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23-ग) के खण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री तालपागिरी रंगनाथ स्वामी देवस्थानम नेल्लोर, को निर्धारण वर्ष 1982-83 से 1983-84 के अन्तर्गत आने वाली अवधि के लिए उक्त धारा के प्रयोजनार्थ अधिसूचित करती है ।

[सं० 4606/का०सं० 197/50/82-आ०क(ए I)]

(INCOME-TAX)

S.O. 2225.—In exercise of the powers conferred by clause (v) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Shri Talpagiri Ranganadha Swami Devasthanam, Nellor" for the purpose of the said section for the period covered by the assessment years 1982-83 to 1983-84.

[No. 4606/F. No. 197/50/82-IT(AI)]

नई दिल्ली, 15 मई, 1982

(आय-कर)

का०आ० 2226.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23-ग) के खण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, कुरुक्षेत्र विकास बोर्ड, को निर्धारण वर्ष 1983-84 और 1984-85 के अन्तर्गत आने वाली अवधि के लिए उक्त धारा के प्रयोजनार्थ अधिसूचित करती है ।

[सं० 4612/का०सं० 197/170/81-आ०क(ए I)]

New Delhi, the 15th May, 1982

(INCOME-TAX)

S.O. 2226.—In exercise of the powers conferred by clause (v) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Kurukshetra Development Board" for the purpose of the said section for the period covered by the assessment years 1983-84 and 1984-85.

[No. 4612/F. No. 197/170/81-IT(AI)]

(आय-कर)

का०आ० 2227.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23-ग) के खण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, 'दिल्ली पारसी अंजुमन' को निर्धारण वर्ष 1982-83 से 1984-85 तक के अन्तर्गत आने वाली अवधि के लिए उक्त धारा के प्रयोजनार्थ अधिसूचित करती है ।

[सं० 4613/का०सं० 197/213/81-आ०क(ए I)]

(INCOME-TAX)

S.O. 2227.—In exercise of the powers conferred by clause (v) of sub-section (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Delhi Parsi Anjuman" for the purpose of the said section for the period covered by the assessment years 1982-83 to 1984-85.

[No. 4613/F. No. 197/213/81-IT(AI)]

नई दिल्ली, 19 मई, 1982

(आय-कर)

का०आ० 2228.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23-ग) के खण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सुन्दरम चरित्सि की निर्धारण वर्ष 1982-83 के अन्तर्गत आने वाली अवधि के लिए उक्त धारा के प्रयोजनार्थ अधिसूचित करती है ।

[सं० 4621/का०सं० 197/85/81-आ०क(ए I)]

मिलाप जैन, अवर सचिव

New Delhi, the 19th May, 1982

(INCOME-TAX)

S.O. 2228.—In exercise of the powers conferred by clause (v) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sundaram Charities" for the purpose of the said section for the period covered by the assessment year 1982-83.

[No. 4621/F. No. 197/85/81-IT(AI)]

MILAP JAIN, Under Secy.

(व्यय विभाग)

नई दिल्ली, 8 जून, 1982

का० आ० 2229.—राष्ट्रपति, केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील) नियम, 1965 के नियम 12 के उपनियम (2) के खंड (ख) तथा नियम 24 के उपनियम (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार, वित्त मंत्रालय (व्यय विभाग) की अधिसूचना सं० का० आ० 3390 तारीख 7 नवम्बर, 1971 में एतद् द्वारा निम्नलिखित और संशोधन करते हैं, अर्थात्:—

समय-समय पर संशोधित उक्त अधिसूचना का अनुसूचनाओं में विद्यमान प्रविष्टि 12 के तहत निम्नलिखित प्रविष्टियों सन्निविष्ट की जाएंगी, अर्थात्:—

13 महालेखाकार, उड़ीसा	13 (i) महालेखाकार-I—उड़ीसा (ii) महालेखाकार-II—उड़ीसा
14 महालेखाकार, केरल	14 (i) महालेखाकार-I—केरल (ii) महालेखाकार-II—केरल
15 महालेखाकार, राजस्थान	15 (i) महालेखाकार-I—राजस्थान (ii) महालेखाकार-II—राजस्थान

[का० सं० सी० 11021/1/82-ई० जी० I]
वी० सी० तिवारी, अधर सचिव

(Department of Expenditure)

New Delhi, the 8th June, 1982.

S. O. 2229.—In exercise of the powers conferred by clause (b) of sub-rule (2) of rule 12 and sub-rule (1) of rule 24 of the Central Civil Services (Classification, control and Appeal) Rules, 1965, the President hereby makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Expenditure) No. S. O. 3390 dated the 7th November, 1974, namely:—

In the Schedule appended to the said notification, after serial No. 12 and the entries relating thereto, the following serial Nos. and entries shall be inserted, namely:—

“13. A.G. Orissa	13. (i) Accountant General-I, Orissa (ii) Accountant General-II, Orissa.
14. A.G. Kerala	14. (i) Accountant General-I, Kerala (ii) Accountant General-II, Kerala.
15. A.G. Rajasthan	15. (i) Accountant General-I, Rajasthan. (ii) Accountant General-II, Rajasthan.

[F. No. C-11021/1/82-EGI]

V. C. TEWARI, under Secy.

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नयी दिल्ली, 31 मई, 1982

का०आ० 2230.—राष्ट्रीय बैंक (प्रबंध और प्रकीर्ण उपबंध) योजना, 1970 की धारा 3 की उपधारा (ज) के अनुसरण में केन्द्रीय सरकार, श्री के० के० मिश्र के स्थान पर वित्त मंत्रालय, आर्थिक कार्य विभाग (बैंकिंग प्रभाग), नयी दिल्ली के संयुक्त सचिव श्री वी०पी० साहू की ओर एतद् द्वारा युनाइटेड कमर्शियल बैंक के एतद् निदेशक के रूप में नियुक्त करती है।

[सं० एफ० 9/19/82-बी०ओ० I]

सी० जे० मीरचन्दानी, उप सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 31st May, 1982

S.O. 2230.—In pursuance of sub-clause (h) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government hereby appoints Shri V. P. Sawhney, Joint Secretary, Ministry of Finance, Department of Economic Affairs (Banking Division), New Delhi, as a Director of the United Commercial Bank vice Shri K. K. Misra.

[No. F. 9/19/82-BO.1]

C. W. MIRCHANDANI, Dy. Secy.

नई दिल्ली 4 जून, 1982

का० आ० 2231.—औद्योगिक वित्त निगम अधिनियम, 1948 (1948 का 15) की धारा 21 की उपधारा (2) के अनुसरण में केन्द्रीय सरकार भारतीय औद्योगिक वित्त निगम के निदेशक मंडल की सिफारिश पर उक्त निगम द्वारा 16 जून, 1982 को जारी किये जाने वाले और 16 जून, 1997 का परिपक्व होने वाले बांडों पर वी जाने वाली व्याज की दर एतद् द्वारा 7-1/2 प्रतिशत (साढ़े सात प्रतिशत) वार्षिक निर्धारित करती है:

[संख्या 2(18) आई० एफ० 1/82.]

New Delhi, the 4th June, 1982

S.O. 2231.—In pursuance of sub-section (2) of section 21 of the Industrial Finance Corporation Act, 1948 (15 of 1948), the Central Government on the recommendation of the Board of Directors of the Industrial Finance Corporation of India, hereby fixes 7-1/2 per cent (seven and a half per cent) per annum as the rate of interest payable on the bonds to be issued by the said Corporation on 16th June 1982 and maturing on 16th June 1997.

[No. 2(18)IF. I/82]

का०आ० 2232.—यतः बैंककारी विनियमन अधिनियम, 1949 की धारा 45 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा उसके अनुसार केन्द्रीय सरकार ने नेशनल बैंक आफ लाहौर, लि०, दिल्ली के भारतीय स्टेट बैंक के साथ विलय के लिए 20 फरवरी, 1970 को एक योजना मंजूर की थी।

यतः उक्त योजना के खण्ड 6 के उपखण्ड (ix) के अधीन भारतीय स्टेट बैंक द्वारा नेशनल बैंक आफ लाहौर, लि० दिल्ली की परिसंपत्तियों का अंतिम रूप से मूल्यांकन नियत तारीख से बारह वर्षों की समाप्ति के पश्चात् अपेक्षित था जोकि नियत तारीख का अंतिम रूप से मूल्यांकित कर लिया गया है।

यतः भारतीय बैंक ने यह अभ्यावेदन किया है कि बड़ी संख्या में परिसंपत्तियां अंतर्गत होने और बैंक के प्रयासों के बावजूद अधिकांश मदों की दमूलिया अभी बाकी होने के कारण बैंक, विलय योजना के खण्ड 6 के उपखण्ड (ix) में विनिर्दिष्ट समय के भीतर परिसंपत्तियों का अंतिम रूप से मूल्यांकन करने में असमर्थ रहा है।

और यतः केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के बाद इस बात से संतुष्ट है कि विलय योजना को लागू करने में कठिनाई पैदा हो गयी है और उक्त समय बढ़ा कर जितने में परिसंपत्तियों का अंतिम रूप से मूल्यांकन अपेक्षित है, उक्त कठिनाई को दूर करना जरूरी है।

अतः, अब नेशनल बैंक आफ लाहौर, लि०, दिल्ली के भारतीय स्टेट बैंक के साथ विलय की 20 फरवरी, 1970 की विलय योजना के खण्ड 21, द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद् द्वारा निदेश देती है कि भारतीय स्टेट बैंक, भारतीय रिजर्व बैंक के परामर्श

से तथा उसके अनुमोदन से नेशनल बैंक आफ लाहौर लि०, दिल्ली की उन परिसंपत्तियों का, जिनकी वसूली और मूल्यांकन नहीं हुआ है, नियत तारीख से तेरह वर्षों की अवधि के भीतर मूल्यांकन करेगा।

[सं० 17/6/82-बी० ओ० III]

एन० डी० बत्रा, अवर सचिव

S.O. 2232.—Whereas on 20th February 1970 a scheme of amalgamation of the National Bank of Lahore Ltd., Delhi with the State Bank of India was sanctioned by the Central Government in exercise of the powers conferred by and in accordance with Section 45 of the Banking Regulation Act, 1949.

Whereas under sub-clause (ix) of clause 6 of the said scheme, the State Bank of India was required to make a final valuation of the assets of the National Bank of Lahore Ltd., Delhi, which have been provisionally valued on the prescribed date, on the expiry of twelve years from the prescribed date.

Whereas the State Bank of India has represented that in view of the large number of assets involved and the recovery of most of the items yet to be realised in spite of its efforts, it has not been able to make the final valuation within the time specified in sub-clause (ix) of clause 6 of the scheme of amalgamation.

And whereas the Central Government in consultation with the Reserve Bank of India is satisfied that a difficulty has arisen in giving effect to the scheme of amalgamation which it is necessary to remove by extending the time within which the final valuation of assets is required to be made.

Now, therefore, in exercise of the powers conferred by clause 21 of the scheme of amalgamation dated 20th February 1970 of the National Bank of Lahore Ltd., Delhi with the State Bank of India, the Central Government hereby directs that the State Bank of India shall in consultation with and with the approval of the Reserve Bank of India value the assets of the National Bank of Lahore Ltd. Delhi which have not been realised and valued, within a period of thirteen years from the prescribed date.

[No. 17/6/82-B.O. III]

N. D. BATRA, Under Secy.

वाणिज्य मंत्रालय

(वस्त्र विभाग)

नई दिल्ली, 24 अप्रैल, 1982

का०आ० 2233.—केन्द्रीय रेशम बोर्ड अधिनियम, 1948 (1948 का 61) की धारा 6 की उपधारा (1) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार इसके द्वारा हथकरघा विकास आयुक्त श्री बी० रामदोराई को आगामी आदेश होने तक केन्द्रीय रेशम बोर्ड के उपाध्यक्ष के रूप में नियुक्त करती है।

[फा०सं० 25012/11/82-सिल्क]

MINISTRY OF COMMERCE

(Department of Textiles)

New Delhi, the 24th April, 1982

S.O. 2233.—In exercise of the powers conferred under sub-section (1) of Section 6 of the Central Silk Board Act, 1948 (61 of 1948), the Central Government hereby appoints Shri B. Ramoderai, Development Commissioner for Hand-loom as Vice-Chairman of the Central Silk Board until further orders.

[F. No. 25012/11/82-Silk]

का०आ० 2234.—भारत सरकार के भूतपूर्व उद्योग मंत्रालय की अधिसूचना का० आ०सं० 743(ड) दिनांक 20-11-1979 के अधीन गठित केन्द्रीय रेशम बोर्ड के सदस्यों की सदस्यता की अवधि 8 अप्रैल, 1982 को समाप्त हो जाने पर, केन्द्रीय सरकार, केन्द्रीय रेशम बोर्ड अधिनियम, 1948 (1948 का 61) की धारा 4(3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए इसके द्वारा निम्नलिखित व्यक्तियों को केन्द्रीय रेशम बोर्ड का कार्य करने के लिए 8 अप्रैल, 1985 तक, जिसमें यह तारीख भी शामिल है, नामित करती है। तबतक क्रम सं० 4-9 के सदस्यों के मामले में उनकी अवधि, उन्हें केन्द्रीय रेशम बोर्ड के सदस्यों के रूप में नामित किए जाने की तारीख से 3 वर्षों की उनकी अवधि पूरी होने पर समाप्त हो जाएगी।

सदस्य

1. श्री बी० रामदोराई,
विकास आयुक्त (हथकरघा),
वस्त्र विभाग, वाणिज्य मंत्रालय।
2. श्री एस० कृष्णमूर्ति,
उप सचिव (वित्त), वस्त्र विभाग,
वाणिज्य मंत्रालय।
3. श्री ए० पी० भट्टिकार,
सचिव, केन्द्रीय रेशम बोर्ड।
4. डा० ए० कलानिधि,
संसद सदस्य।
5. श्री बी० श्रीनिवास प्रसाद,
संसद सदस्य।
6. श्री समीनुद्दीन,
संसद सदस्य।
7. श्री गंगाधर एस० कुचान,
संसद सदस्य।
8. श्री एम० मादन्ता,
संसद सदस्य।
9. श्री गुलाम मोहिउद्दीन शाल,
संसद सदस्य।
10. सचिव, कर्नाटक सरकार,
वाणिज्य तथा उद्योग विभाग,
विधान सौध, बंगलौर।
11. निदेशक, रेशम उत्पादन,
कर्नाटक सरकार,
मल्टीस्टोरी बिल्डिंग,
(चौथी मंजिल),
विधान बंधि, बंगलौर।
12. श्री एम० सी० वासप्पा,
एम० एल० ए०,
मलेपूर, हार्बे डुबली,
चमराजनगर तालुक,
जिला मैसूर।
13. श्री एम० नारायणा,
म्युनिमिपल काउंसिलर,
बंगारपेट, जिला कोलार।
14. श्री हाजी सैयद मुनीर,
प्रेजिडेंट, सिल्क डीलर्स एसोसिएशन,
रामनगरम, जिला बंगलौर।
15. निदेशक,
रेशम उत्पादन, तमिलनाडु सरकार
चैपोक, मद्रास।
16. निदेशक, रेशम उत्पादन तथा
रेशम बर्नाई
पश्चिम बंगाल सरकार,
45, गणेशचन्द्र एवेन्यू, कलकत्ता।

अधिनियम की धारा 4(3) (ख)
के अधीन केन्द्रीय सरकार द्वारा
नामित

अधिनियम की धारा 4(3) (ग)
के अधीन
संसद द्वारा नामित।

अधिनियम की धारा 4(3) (घ)
के अधीन कर्नाटक सरकार द्वारा
नामित।

अधिनियम की धारा 4(3) (ङ)
के अधीन तमिलनाडु सरकार द्वारा
नामित।

अधिनियम की धारा 4(3) (च)
के अधीन पश्चिम बंगाल सरकार
द्वारा नामित।

17. निदेशक, रेशम उत्पादन, आन्ध्र प्रदेश सरकार, हैदराबाद।
18. उद्योग विकास आयोग, बिहार सरकार, पटना।
19. निदेशक, रेशम उत्पादन तथा बुनाई, असम सरकार, गोहाटी।
20. सचिव, मध्य प्रदेश सरकार, वाणिज्य तथा उद्योग विभाग, भोपाल।
21. निदेशक, हथकरघा तथा वस्त्र, उत्तर प्रदेश सरकार, कानपुर।
22. निदेशक, कुटीर उद्योग तथा औद्योगिक सहकारिता, गुजरात सरकार, सेवा सदन ट्रस्ट बिल्डिंग, सरदार भवन, लाल दरवाजा, अहमदाबाद।

अधिनियम की धारा 4(3) (छ) के अधीन क्रमशः आन्ध्र प्रदेश, बिहार, असम, मध्य प्रदेश, उत्तर प्रदेश तथा गुजरात सरकार द्वारा नामित

23. सलाहकार, रेशम उत्पादन, विकास विभाग, जम्मू तथा कश्मीर सरकार, श्री नगर।

अधिनियम की धारा 4(3) (ज) के अधीन जम्मू काश्मीर सरकार द्वारा नामित।

24. निदेशक, वस्त्र, उड़ीसा सरकार, भुवनेश्वर।
25. निदेशक, रेशम उत्पादन, मणिपुर सरकार, इम्फाल।
26. निदेशक, रेशम उत्पादन तथा बुनाई, मेघालय सरकार।

अधिनियम की धारा 4(3) (झ) के अधीन केन्द्रीय सरकार द्वारा नामित।

27. प्रबंधक निदेशक, कर्नाटक रेशम उद्योग निगम, पब्लिक लिमिटेड बिल्डिंग, चौथी मंजिल, एम० जी० रोड, बंगलूर।
28. डा० एस० कृष्णस्वामी, सेवा निवृत्त निदेशक, सी एन आर एण्ड टी आई, मैसूर तथा उपाध्यक्ष, अखिल भारतीय रेशम उत्पादन गवेषणा समन्वय समिति, एम-60, अन्नानगर, मद्रास-600040।
29. डा० एम० एस० राव, संकायाध्यक्ष (कृषि), बिरसा कृषि विश्वविद्यालय, रांची कृषि महाविद्यालय, कनके, रावी (बिहार)
30. श्री वी० के० चौधरी, उप सचिव, वस्त्र विभाग, वाणिज्य मंत्रालय, भारत सरकार

अधिनियम की धारा 4(3) (ब) के अधीन सरकार केन्द्रीय द्वारा नामित।

S. O. 2234.—The term of membership of the members of the Central Silk Board constituted under the notification of the Government of India in the erstwhile Ministry of Industry S. O. No. 743(E) dated 20-11-1979 having expired on the 8th April 1982 the Central Government in exercise of the Powers conferred under section 4(3) of the Central Silk Board Act, 1948 (61 of 1948) hereby nominates the following persons to serve on the Central Silk Board for the period up to and including the 8th April, 1985. In case of members at serial No. 4-9, their term will expire on their completion of term of 3 years from the date of their nomination as members of Central Silk Board.

Members

1. Shri B. Ramadurai, Development Commissioner (Handlooms), Department of Textiles, Ministry of Commerce.
2. Shri S. Krishnamoorthy, Deputy Secretary(Finance), Department of Textiles, Ministry of Commerce.
3. Shri A. P. Bhatkar, Secretary, Central Silk Board.

Nominated by the Central Government under Section 4(3) (b) of the Act.

4. Dr. A. Kalanidhi, Member of Parliament.

5. Shri V. Srinivasa Prasad Member of Parliament.

6. Shri Saminuddin, Member of Parliament.
7. Shri Gangadhar S. Kuchan, Member of Parliament.
8. Shri M. Maddanna, Member of Parliament.
9. Shri Ghulam Mohi-ud-Din Shami Member of Parliament.

Nominated by Parliament under Section 4(3) (c) of the Act.

10. Secretary to the Govt. of Karnataka, Commerce and Industries, Deptt. Vidhana Soudha, Bangalore.
11. The Director of Sericulture, Govt. of Karnataka, Multistoreyed Building (4th Floor), Dr. Ambedkar Veedhi, Bangalore.
12. Shri M. C. Basappa, M.L.A. Maleyur, Harve Hobli, Chama ajanagar Taluk, Mysore District.
13. Shri M. Narayana Municipal Councilor Bangarpet, Kolar District.
14. Shri Hajee Syed Muneer, President, Silk Reelers, Association, Ramanagaram, Bangalore District.

Nominated by the Government of Karnataka under Section 4(3) (d) of the Act.

15. Director of Sericulture, Government of Tamil Nadu, Chempauk, Madras.

Nominated by the Govt. of T.N. under Section 4(3) (e) of the Act.

16. Director of Sericulture and Silk Weaving, Govt. of West Bengal, Ganesh Chandra Avenue, Calcutta.

Nominated by the Government of W.B. under section 4(3)(f) of the Act.

[सं० 25012/11/82-मिनक]

[वी० के० चौधरी, उप सचिव]

17. Director of Sericulture,
Govt. of Andh a Pradesh,
Hyderabad.
18. Industries Development
Commissioner,
Government of Bihar,
Patna.

19. Director of Sericulture and Weaving, Govt. of Assam, Gauhati.
20. Secretary to the Govt. of Madhya Pradesh, Commerce and Industry Department, Bhopal.
21. Director of Handloom & Textiles Government of U.P., Kanpur.
22. Director of Cottage Industries & Industrial Coopn., Govt. of Gujarat Seva Sadar Trust Building, Sardar Bhawan, Lal Darwaja, Ahmedabad.

Nominated by the Government of Andhra Pradesh, Bihar, Assam, Madhya Pradesh, Uttar Pradesh and Gujarat respectively under Section 1(3) (g) of the Act.

23. Adviser,
Sericulture Development
Department,
Government of J. & K,
Srinagar.

Nominated by the Govt. of
J & K under Section 4(3)(h)
of the Act.

24. Director of Textiles,
Government of Orissa,
Bhubaneswar.
25. Director of Sericulture,
Government of Manipur,
Imphal.
26. Director of Sericulture,
& Weaving,
Govt. of Meghalaya.

Nominated by the Central Government under Section 4(3)(i) of the Act.

27. Managing Director,
Karnataka Silk Industries
Corporation,
Public Utility Building,
4th floor,
M.G. Road, Bangalore.
28. Dr. S. Krishnaswami,
Retd. Director, CSR&TI,
Mysore and Vice-Chair-
man, All India Sericulture
Research Coordination
Committee, M. 60,
Anna Nagar, Madras-
600040
29. Dr. M. S. Rao,
Dean (Agriculture)
Biswa Agricultural Univer-
sity Ranchi Agricultural
College, Kanke,
Ranchi (Bihar).
30. Shri V. K. Chowdhary,
Deputy Secretary,
Department of Textiles,
Ministry of Commerce,
Government of India.

Nominated by the Central Government of under Section 4(3)(j) of the Act.

मध्य-नियंत्रक, आयात निर्यात व। कार्यालय

आदेश

नई दिल्ली, 8 जून 1982

क्र.आ.2235.— सर्वश्री कर्नाटक एकात्मिक विज्ञान बमबई को ग्रन्थ विदेशी मुद्रा के प्रत्यक्ष बोधोत्पत्ति विज्ञानों के निर्वहण के लिए पूंजीगत मान की भण्डाना और पुर्जा के आगत के लिए 1,18,53,24 रुपये (एक करोड़ अठारह लाख रुपये) हजार दो सौ पैयामीन राण) (1389200 इन्डोरी की डालर) मुख्य का एक आधान लाइसेंस स.मि/मि.जी/2073813 दिनांक 23-9-78 प्रदान किया गया था। फर्म ने उपर्युक्त लाइसेंस की शर्तों पर नियंत्रण प्रयोजन प्रति की अनुमति जारी करने के लिए इस प्रकार पर आवेदन किया है कि मूल शर्तों पर नियंत्रण प्रयोजन प्रति उत्पन्न की गई है/अव्यय हो गई है। मूल शर्तों पर नियंत्रण प्रयोजन प्रति 1,04,10,317/रु तक उतारा में लाई गई है और 1,12,925 रु का उपयोग करना जारी है।

१. अपने तर्कों के समर्थन में, लाइसेंस धारों ने स्टाम्प पेपर पर तारिखें पब्लिक, दिल्ली प्रदेश के मामले विश्विषय शपथ लेकर एक शपथ पत्र दाखिल किया है तदनुसार मैं संतुष्ट हूँ कि लाइसेंस संजो/सी/ज/ 2073813 दिनांक 25-9-78 की मूल विनिमय नियंत्रण प्रयोजन प्रति फर्म से खा गई है/अस्थानस्थ है। अथवा सश्रुति साक्ष्य (नियंत्रण) आदेश, 1955 दिनांक 7-12-1955 को उद्योग 9 (सीसी) द्वारा प्रदत्त श्रवण, वगैरे का प्रयोग करने हुए सर्वश्री कर्नाटक एक संविधानिक बम्बई को जारी की गई मूल विनिमय नियंत्रण प्रयोजन प्रति संजो/सी/जी 2073813 दिनांक 23-9-78 को एतद्वारा रद्द किया जाता है।

3. उपर्युक्त ताहमें की विभिन्न नियंत्रण प्रयोजन प्रति की अनुलिपि प्राप्ति आवश्यकता का भ्रम से जारों की जा रही है ।

[सं०सौ०जं०III/1409/78/17[

(Office of the Chief Controller of Imports and Exports)

ORDER

New Delhi, the 8th June, 1982

S.O. 2235.—M/s. Karnataka Explosives Ltd., Bombay were granted an import licence No. P/CG/2073813 dated 23-9-78 for Rs. 1,18,53,242 (Rupees One crore, eighteen lakhs fifty-three thousand two hundred and fortytwo only) (US\$ 1389200) for import of capital goods machinery and spares for the manufacture of Industrial Explosives under Free Foreign Exchange. The firm has applied for issue of Duplicate copy of Exchange Control Purposes copy of the above mentioned licence on the ground that the original Exchange Control copy of the licence has been lost or misplaced. The value of Exchange Control Purchase copy has been utilised to the extent of Rs. 1,04,40,317 leaving a balance of Rs. 14,12,925.

2. In support of their contention, the licensee has filed an affidavit on stamped paper duly sworn in before a Notary Public U.T. Delhi. I am accordingly satisfied that the original Exchange Control purposes copy of import licence No. P/CG/2073813 dated 23-9-78 has been lost or misplaced by the firm. In exercise of the powers conferred under sub-clause 9(cc) of the Import (Control) Order, 1955 dated 7-12-1955 as amended the said original Exchange Control purpose copy No. P/CG/2073813 dated 23-9-78 issued to M/s. Karnataka Explosives Ltd., Bombay is hereby cancelled.

3. A duplicate Exchange Control Purposes copy of the said licence is being issued to the Party separately.

[File No. 25012/11/82—Silk]
V. K. CHOWDARY, Dy. Secy.

[No. CG. III/1409/78/17]

आदेश

आदेश

कांसा 2236—सर्वश्री इन्डियन गैसिज (स्वामी कान्हजी गैसिज, प्रांलि०) स्वामियर को प्रत्येक 40 लीटर की क्षमता वाले खाली आक्सीजन गैस के 872 नमूने मिनेटर का स्वतंत्र विदेशी मुद्रा के अधीन आयात करने के लिए 4,37,024 रुपये (चार लाख सैंतीस हजार बीस रुपये मात्र) का एक आयात लाइसेंस सं. पी/सी०जी/2082077-सी/एक्स०एक्स/77/एच/79/सी०जी० III, दिनांक 31-12-80 जारी किया गया था। तदुपश्चात् आयात लाइसेंस का मूल्य-वाड़ा मूल्य 4,50,681 रुपये (यू०एस०डॉलर 57552) बढ़ाया गया था। फर्म ने उपर्युक्त लाइसेंस की मूल सीमा शुल्क प्रयोजनार्थ प्रति की अनुतिथि जारी करने के लिए इस आधार पर आवेदन किया है कि मूल सीमा शुल्क प्रयोजन प्रति खो गई अथवा अस्थानस्थ हो गई है। अतः यह भी बताया गया है कि लाइसेंस की सीमा शुल्क प्रयोजन प्रति किसी भी सीमा शुल्क प्राधिकारी के पास पंजीकृत नहीं थी और इस प्रकार 4,50,681 रुपये की सीमा शुल्क प्रयोजन प्रति का अभी तक उपयोग नहीं किया गया है।

2. लाइसेंसधारी ने अपने तर्क के समर्थन में नोटरी पब्लिशर द्वारा दिल्ली के सामने विधिवत शपथ लेकर स्टाम्प पेपर पर एक शपथ पत्र दाखिल किया है। तदनुसार मैं संतुष्ट हूँ कि आयात लाइसेंस सं. पी/सी०जी/2082077/सी/एक्स०एक्स/77/एच/79/सी०जी० III दिनांक 31-12-1980 की मूल सीमा शुल्क प्रयोजन प्रति फर्म से खो गई अथवा अस्थानस्थ हो गई है। अतः संबंधित आयात (नियंत्रण) आदेश 1955 दिनांक 7-12-1955 की उपधारा 9(सी०सी०) के अधीन प्रदत्त अधिकारों का प्रयोग कर संबंधी इन्डियन गैसिज (स्वामी कान्हजी गैसिज प्रांलि०) के नाम जारी लाइसेंस सं. पी/सी०जी/2082077 दिनांक 31-12-1980 की उक्त मूल सीमा शुल्क प्रयोजन की एतद्वारा रद्द किया जाता है।

3. उक्त लाइसेंस की सीमा शुल्क प्रयोजन प्रति की अनुतिथि फर्म को अलग से जारी की जा रही है।

[सं०सी०जी० III/437/78/19]

ORDER

S.O. 2236.—M/s. Indian Gases (Prop. Kanhji Gases Pvt. Gwalior were granted an import licence No. P/CG/2082077/C/XX/79/H/CG, III, dated 31-12-80 for Rs. 4,37,024 (Rupees Four lakhs, thirty seven thousand and twentyfour only) for import of 872 Nos. of empty oxygen gas cylinders of 40 litre capacity each under Free Foreign Exchange. The cif value of the import licence was subsequently enhanced to Rs. 4,50,681 (US \$ 57552). The firm has applied for issue of Duplicate Copy of Customs Purposes copy of the above mentioned licence on the ground that the original Custom Purposes copy of the licence has been lost or misplaced. It has further been stated that the Customs Purposes copy of the licence was not registered with any Customs Authority and as such the value of Customs Purpose copy (i.e. Rs. 4,50,681) has not been utilised at all.

2. In support of their contention, the licensee has filed an affidavit on stamped paper duly sworn in before a Notary Public Delhi. I am accordingly satisfied that the original Customs Authority and as such the value of Customs Purpose C/XX/77/H/79/CG, III, dated 31-12-1980 has been lost or misplaced by the firm. In exercise of the powers conferred under sub-clause 9(cc) of the Import (Control) Order, 1955 dated 7-12-1955 as amended the said original Customs Purposes copy No. P/CG/2082077 dated 31-12-1980 issued to M/s. Indian Gases (Prop. Kanhji Gases Pvt. Ltd.) is hereby cancelled.

3. A Duplicate Customs Purposes copy of the said licence is being issued to the party separately.

[No. CG.III/437/78/19]

कांसा 2237—सर्वश्री कोरोमण्डल फर्टिलाइजर्स लि०, 126, सरोजनी देवी रोड, सिकन्दराबाद को 85,06,500/- रु० (पचास लाख, छ. हजार, पांच सौ रुपये मात्र) का आयात लाइसेंस सं. पी०/सी० जी०/2082495 दिनांक 10-6-81 स्वतन्त्र विदेशी मुद्रा के अधीन प्रयोजनार्थ फार्मेट का विनिर्माण करने के लिए प्रयोजन माल की गणनीय के आयात के लिए प्रदान किया गया था। फर्म ने उपर्युक्त लाइसेंस की सीमा शुल्क प्रयोजनार्थ प्रति की अनुतिथि जारी करने के लिए इस आधार पर आवेदन किया है कि लाइसेंस की मूल सीमा शुल्क प्रयोजनार्थ प्रति अस्थानस्थ हो गई है। उन्होंने यह भी कहा है कि सीमाशुल्क प्रयोजनार्थ प्रति की किसी भी सीमाशुल्क प्राधिकारी से पंजीकृत नहीं कराया था अतः सीमाशुल्क प्रयोजनार्थ प्रति या बिल्कुल भी उपयोग नहीं किया गया है।

2 अपने तर्क के समर्थन में लाइसेंसधारी ने पब्लिक नोटरी, विशाखा-पत्तनम के सामने विधिवत शपथ लेकर स्टाम्प पेपर पर एक शपथ पत्र दाखिल किया है। तदनुसार मैं संतुष्ट हूँ कि लाइसेंस सं. पी०/सी० जी०/2082495 दिनांक 10-6-81 की मूल सीमाशुल्क प्रयोजनार्थ प्रति फर्म से अस्थानस्थ हो गई है। यथामाधानित आयात (नियंत्रण) आदेश, 1955 दिनांक 7-12-1955 के उपधारा 9 (सी० जी०) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए सर्वश्री कोरोमण्डल फर्टिलाइजर्स लि० को जारी किए गए कथित लाइसेंस सं. पी०/सी० जी०/2082495 की मूल सीमा शुल्क प्रयोजनार्थ प्रति एतद्वारा रद्द की जाती है।

3 कथित लाइसेंस की सीमा शुल्क प्रयोजनार्थ प्रति की अनुतिथि फर्म को अलग से जारी की जा रही है।

[मिमिल सं० सी० जी०-3/539(81)(18)]

शंकर चन्द. उपा-मुख्य नियंत्रक, आयात-निर्यात

ORDER

S.O. 2237.—M/s. Coromandel Fertilizers Ltd., 126, Sarojine Devi Road, Secunderabad were granted an import licence No. P/CG/2082495 dated 10-6-81 for Rs. 85,06,500 (Rupees Fiftyfive lakhs, six thousand and five hundred only) for import of Capital goods machinery for the manufacture of Ammonia Phosphate under Free Foreign Exchange. The firm has applied for issue of Duplicate copy of Customs Purposes copy of the above mentioned licence on the ground that the original Customs Purposes copy of the licence has been misplaced. It has further been stated that the Customs Purposes copy of the licence was not registered with any Customs Authority and as such the value of Customs Purpose copy has not been utilised at all.

2. In support of their contention, the licensee has filed an affidavit on stamped paper duly sworn in before a Notary Public, Visakhapatnam. I am accordingly satisfied that the original Customs Purposes copy of import licence No. P/CG/2082495 dated 10-6-81 has been misplaced by the firm. In exercise of the powers conferred under sub-clause 9(cc) of the Import (Control) Order, 1955 dated 7-12-1955 as amended the said original Customs Purposes copy No. P/CG/2082495 dated 10-6-81 issued to M/s. Coromandel Fertilisers Ltd., is hereby cancelled.

3. A duplicate Customs Purposes copy of the said licence is being issued to the party separately.

[File No. CG.III/539(81)(18)]

SHANKAR CHAND, Dy. Chief Controller,
Imports and Exports.

सर्वोच्च मुख्य निर्यात-निर्यात का कार्यालय

(केन्द्रीय लाइसेंस क्षेत्र)

निर्यात आवेदन

नई दिल्ली, 29 मार्च, 1982

पेट्रोलियम, रसायन और उर्वरक मंत्रालय

(पेट्रोलियम विभाग)

नई दिल्ली, 3 जून, 1982

क्र०आ० 2238.—मैसर्स: पूजा इन्टरप्राइजेज 1066, गांधी गली, तिलक बाजार दिल्ली का एक आयात लाइसेंस सं० पी/जेड/0312327/सी० दि० 22-7-81 वाला 85831 रु०, सूखा मेवा (काजू और खजूर के अतिरिक्त) के आयात हेतु दिया गया था। इस फर्म ने उक्त लाइसेंस की कस्टम हेतु कापी, बिना किसी कस्टम पर पंजीकृत हुए तथा बिना इस्तेमाल हुए ही खो जाने की सूचना दी है।

आवेदक फर्म ने आयात-निर्यात की कार्यविधि पुस्तिका, 1981-82 के पैरा 352-354 के अंतर्गत एक शपथ-पत्र प्रस्तुत किया है। मैं संतुष्ट हूँ कि उक्त लाइसेंस की मूल कस्टम हेतु कापी खो गई है।

अतः आयात-निर्यात नियंत्रण अधिनियम, 1955 (यथा संशोधित) की धारा 9(C.C) में प्रदत्त अधिकारों का प्रयोग करते हुए मैं उपरोक्त लाइसेंस की मूल कस्टम कापी को निरस्त करने का आदेश देता हूँ।

आवेदक की प्रार्थना पर अब आयात-निर्यात की कार्यविधि-पुस्तिका-1981-82 के 352-354 अनुसार उपरोक्त लाइसेंस की कस्टम कापी की अनुलिपि (डुप्लीकेट कापी) जारी करने पर विचार किया जायेगा।

[सं० ड्राई फ्रूट्स/762/ए.एम-82/सी०एफ०/सी०एम०ए०]

क० माया दाम गुप्ता,

उप मुख्य नियंत्रक, आयात-निर्यात
हते संयुक्त मुख्य नियंत्रक, आयात-निर्यातOFFICE OF THE JT. CHIEF CONTROLLER OF IMPORTS
AND EXPORTS

(Central Licensing Area)

CANCELLATION ORDER

New Delhi, the 29th March, 1982

S.O. 2238.—M/s. Puja Enterprises, 1066, Gandhi Gali, Tilek Bazar, Delhi was granted import licence P/Z/0312327/C dated 22-7-81 for Rs. 85831 for import of Dry Fruits (excluding Cashew nuts and Dates). The firm have reported that Customs Purposes copy of the same has been lost/misplaced without having been registered with any Custom Authority and utilised at all.

The applicant firm has filed an affidavit in support of the above statement as required under paras 352-354 of Hand Book of Import Export Procedures 1981-82. I am satisfied that the original Customs Purposes copy of the said licence has been lost/misplaced.

In exercise of the powers conferred on me under Section 9(cc) of Import Trade Control Order, 1955 as amended. I order the cancellation of the Custom Purposes copy of the said licence.

The applicants case will now be considered for the issue of Duplicate licence (Customs Purpose copy) in accordance with paras 352-354 of Hand Book of Rules and Procedure, 1981-82.

[No. DRY FRUITS/762/AM82EYS/CLA]

MISS HAYA DASS GUPTA, Dy. Chief Controller,
Imports and Exports,
For Jt. Chief Controller, Imports-Exports.

क्र० आ० 2239.—यतः पेट्रोलियम और खनिज पदार्थों (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अन्तर्गत, भारत सरकार के पेट्रोलियम, रसायन और उर्वरक मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना क्र०आ० सं० तारीख द्वारा केन्द्रीय सरकार ने उक्त अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाश्चात्ताहनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना अधिकार घोषित कर दिया था।

और यतः सक्षम, अधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अन्तर्गत सरकार की रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाश्चात्ताहनों बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में बंटा होने के बजाय तेल और प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगी।

अनुसूची

कूप सं० के० ए० ए० से डब्ल्यू० ए० आई० तक पाश्चात्ताहनों बिछाने के लिए

राज्य: गुजरात	जिला: महसना	तालुका: कलोन		
गाँव	ब्लॉक	हेक्टर	एअरई	सेन्टीयर
पानसर	1005	0	24	30
	1004	0	19	80
	9278	0	33	15
	कॉट ड्रेक	0	03	60
	913	0	29	40
	923	0	25	42

[सं० 12016/27/81-प्रो०]

एल० एम० गोयल, निदेशक

**MINISTRY OF PETROLEUM, CHEMICALS AND
FERTILIZER**

(Department of Petroleum)

New Delhi, the 3rd June, 1982

S.O. 2239.—Whereas by notification of the Government of India in the Ministry of Petroleum, Chemicals and Fertilizer, Department of Petroleum) S.O. dated under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further, whereas the Central Government as, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification hereby acquired for laying the pipeline;

And further, in exercise of the power conferred by sub-section (4) of that section the Central Govt. directs that the right of user in the said lands shall instead of vesting in the Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

[File No. 250x2/11/82-Silk]

V. K. CHOWDHARY, Dy. Secy.

SCHEDULE

**PIPELINE FROM WELL NO. KLH TO WHI PANSAR
STATE : GUJARAT DISTRICT : MEHSANA TALUKA :
KALOL**

Village	Block No.	Hectare	Acre	Centiare
PANSAR	1005	0	24	30
	1004	0	19	80
	978	0	33	15
	Cart Track	0	03	60
	913	0	29	40
	923	0	25	42

[No. 12016/27/81-Prod.]

L. M. GOYAL, Director

ऊर्जा मंत्रालय

(कोयला विभाग)

नई दिल्ली, 31 मई, 1982

क्र० आ० 2240.—केन्द्रीय सरकार ने (कोयला धारक क्षेत्र) (वर्जित और विकास) अधिनियम, 1957 (1957 का 20) की धारा 7 की उपधारा (1) के अधीन भारत के राजपत्र भाग II, खण्ड 3(ii) तारीख 24 फरवरी, 1981 में प्रकाशित भारत सरकार के ऊर्जा मंत्रालय, कोयला विभाग की अधिसूचना सं० 289 तारीख 12 जनवरी, 1981 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र में भूमि और अधिकारों का अर्जन करने के अपने आशय की सूचना दी थी;

और पूर्वोक्त परि क्षेत्र में भूमि और अधिकारों का अर्जन किए जाने के बारे में कोई आपत्ति नहीं की गई थी;

और केन्द्रीय सरकार का, महाराष्ट्र सरकार से परामर्श करने के पश्चात् यह समाधान हुआ कि उक्त अनुसूची में वर्णित भूमि में से इससे संलग्न अनुसूची में वर्णित 216.64 हेक्टर (लगभग) या 535.31 एकड़ (लगभग) माप की भूमि का अर्जन किया जाना चाहिए;

अतः, केन्द्रीय सरकार कोयला धारक क्षेत्र अर्जन और विकास अधिनियम, 1957 की धारा 9 की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त अनुसूची में वर्णित 216.64 हेक्टर (लगभग) या 535.31 एकड़ (लगभग) माप की भूमि का अर्जन किया जाता है।

इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक का निरीक्षण कलक्टर बंधपुर (महाराष्ट्र) के कार्यालय में या कोयला नियंत्रक, 1-काउंसिल हाउस स्ट्रीट, कलकत्ता के कार्यालय में या वेस्टर्न कोलफील्ड्स लिमिटेड (राजस्थान अनुभाग), कोल एस्टेट मिनिंग लाइन्स, नागपुर, महाराष्ट्र के कार्यालय में किया जा सकता है।

अनुसूची

हिन्दुस्तान नालकोट विद्युत शक्ति परियोजना

(भाग-I)

वर्षा घाटी कोयला क्षेत्र जिला पन्धपुर (महाराष्ट्र)

सभी अधिकार

राजस्थान भूमि (i)

डाक सं० सी-1(ई)/III/ज०आर०/212-182

(जिसमें अर्जन की गई भूमि दर्जित है)

क्रम सं०	ग्राम	पी० सी० सं०	तहसील और जिला	क्षेत्रफल (हेक्टर)	टिप्पणी
1.	बन्दा रेयनवाडी	8	बन्धपुर	24.13	भाग
2.	माना	6	"	98.28	भाग
3.	तन्धगाव	6	"	21.82	भाग
कुल क्षेत्र				137.23	हेक्टर (लगभग)
				339.11 एकड़	(लगभग)

सरकारी नज़ूल भूमि (ii)

क्रम सं०	मोहल्ले का नाम	तहसील और जिला	क्षेत्रफल (हेक्टर)	टिप्पणी
1.	बाबू पेठ	बाबूपुर	79.43	भाग
		कुल क्षेत्र	79.43 हेक्टर	(लगभग)
		या	196.27 एकड़	(लगभग)
(i) और (ii) का कुल क्षेत्र			216.64 हेक्टर	(लगभग)
		या	535.31 एकड़	(लगभग)
	ग्राम चन्दा रेयतवाड़ी में अर्जित किए गए प्लाटों की संख्या : 148, 149, 150, 151, 152, 153, (भाग), 154 (भाग), 155 (भाग) और 156 (भाग)	छ-ज	रेखा हरई नदी के पूर्वी किनारे के साथ साथ जाती है और चन्दा रेयतवाड़ी और माना की सम्मिलित सीमा पर बिन्दु "ज" पर मिलती है।	
	ग्राम माना में अर्जित किए गए प्लाटों की संख्या : 18 (भाग), 19/1, 19/2, 20, 21, 22क, 22ख, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 40, 41, 42, 51 (भाग), 52 (भाग), 53, 54, 55, 56 और ग्राम सड़क। ग्राम नन्दगाव में अर्जित किए गए प्लाटों की संख्या : 2/4 (भाग), 3/1, 3/2, 3/7, 3/6, 3/3, 3/4, (भाग), 3/5, 3/8 (भाग) 4/1 4/2 (भाग), 4/3, 4/4, 4/5, 4/6, 4/7, 4/8, 4/9, 4/10, 4/11, 4/12, 4/13, 4/14, 4/15 और 5 (भाग)।	ज-झ	रेखा हरई नदी के दक्षिण-पूर्वी किनारे के साथ साथ ग्राम माना से होकर जाती है और प्लाट सं० 18 की सीमा पर बिन्दु "झ" पर मिलती है।	
	सरकारी नज़ूल भूमि (मोहल्ला बाबूपेठ) में अर्जित किए गए प्लाटों की संख्या : 15 (भाग) (शीट सं० 6, ब्लॉक सं० 108), 4 (भाग), 5 से 12, 13 (भाग), 14 (भाग), और 15 (शीट सं० 7, ब्लॉक सं० 109, 1 से 7 (शीट सं० 8, ब्लॉक सं० 110); 1 और 2 (शीट सं० 9, ब्लॉक सं० 111 1 (भाग) 2 और 3 (भाग), (शीट सं० 10, ब्लॉक सं० 112): 1 से 11 और 12 (भाग), (शीट सं० 12, ब्लॉक सं० 114); और 1 (भाग), 2 (भाग), 3, 4, 5 (भाग), 6 (भाग), 8 (भाग), 9 (भाग), और 10 (भाग), शीट सं० 13 ब्लॉक ब्लॉक सं० 115)।	झ-ज	रेखा ग्राम माना में प्लाट सं० 18 से और प्लाट सं० 21, 22क की पश्चिमी सीमा के साथ साथ होकर जाती है और बिन्दु "ज" पर मिलती है।	
सीमा वर्णन		झ-ट	रेखा में ग्राम माना में प्लाट सं० 22क, 22ख, 24, 26 की दक्षिणी सीमा के साथ साथ होकर जाती है और बिन्दु "ट" पर मिलती है।	
क-ख	रेखा हिन्दुस्तान लालपेठ कोयला खान की पट्टाधृत सीमा के साथ साथ शीट सं० 10, 12 और 13 में सरकारी नज़ूल भूमि से होकर जाती है और बिन्दु "ख" पर मिलती है।	ट-ठ	रेखा ग्राम माना में प्लाट सं० 26 की पूर्वी सीमा के साथ साथ होकर जाती है और ग्राम सड़क की उत्तरी दिशा में बिन्दु "ठ" पर मिलती है।	
ख-ग	रेखा हिन्दुस्तान लालपेठ कोयला खान की पट्टाधृत सीमा के साथ साथ शीट सं० 13 में सरकारी नज़ूल भूमि से होकर जाती है और बिन्दु "ग" पर मिलती है।	ठ-ड	रेखा ग्राम माना में ग्राम सड़क की उत्तरी सीमा के साथ-साथ होकर जाती है और प्लाट सं० 44, 45 सम्मिलित सीमा पर बिन्दु "ड" पर मिलती है।	
ग-घ	रेखा हिन्दुस्तान लालपेठ कोयला खान की पट्टाधृत सीमा के साथ साथ शीट सं० 13 में सरकारी नज़ूल भूमि से होकर जाती है और बिन्दु "घ" पर मिलती है।	ड-ड	रेखा ग्राम माना में ग्राम सड़क पूर्वी सीमा के साथ साथ होकर जाती है और बिन्दु "ड" पर मिलती है।	
ड.	रेखा शीट सं० 13 में सरकारी नज़ूल भूमि से होकर जाती है और बिन्दु "ड" पर मिलती है।	ड-ण	रेखा ग्राम माना में प्लाट सं० 51, 52 में से होकर जाती है और प्लाट सं० 51, 54 की सम्मिलित सीमा पर बिन्दु "ण" पर मिलती है।	
ड-च	रेखा शीट सं० 13, 7, और 6 में सरकारी नज़ूल भूमि से होकर जाती है और बिन्दु "च" पर मिलती है।	ण-त	रेखा ग्राम माना में प्लाट सं० 51 में होकर प्लाट सं० 55, 56 की पश्चिमी सीमा के साथ साथ जाती है और तब उसके पश्चात् ग्राम नन्दगाव में प्लाट सं० 2/4, 3/3-3/4, 3/8 में होकर जाती है और बिन्दु "त" पर मिलती है।	
च-छ	रेखा शीट सं० 6 और 7 में सरकारी नज़ूल भूमि से होकर जाती है और तब ग्राम चन्दा रेयतवाड़ी में प्लाट सं० 153, 154, 155, 156, से होकर आगे जाती है तथा हरई नदी के किनारे पर बिन्दु "छ" पर मिलती है।	त-थ	रेखा ग्राम नन्दगाव में प्लाट सं० 4/2, 5 में होकर जाती है और ग्राम नन्दगाव तथा बननाशिल क्षेत्र की सम्मिलित सीमा पर बिन्दु "थ" पर मिलती है।	
		थ-ड-घ-ग-ण	रेखा ग्राम नन्दगाव और बननाशिल क्षेत्र की भागतः सम्मिलित सीमा (धर्मशाला तुकुम) के साथ साथ जाती है और ग्राम माना और सरकारी वन की भागतः सम्मिलित सीमा के साथ साथ जाती है तथा ग्राम माना सरकारी नज़ूल भूमि और	

वनवांशित क्षेत्र की सम्मिलित सीमा पर बिन्दु "प" पर मिलती है।

प-क : रेखा सरकारी नजूल भूमि और वनवांशित क्षेत्र की भागत. सम्मिलित सीमा के साथ साथ और खण्ड सं० 485 की भागत: उत्तरी सीमा के साथ साथ जाती है और हिन्दुस्तान लालपेठ कायला खान की पट्टाधुन सीमा पर आरम्भिक बिन्दु 'क' पर मिलती है।

[सं० 19/(25)/82-सी० एन०]

MINISTRY OF ENERGY

(Department of Coal)

New Delhi, the 31st May, 1982

S.O. 2240.—Whereas by the notification of the Government of India in the Ministry of Energy, Department of Coal No. S.O. 289 dated the 12th January, 1981, under sub-section (1) of Section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) and published in Part II, Section 3, Sub-section (ii) of the Gazette of India dated the 24th January, 1981, the Central Government gave notice of its inten-

tion to acquire the lands and rights in the locality specified in the Schedule appended to that notification;

AND WHEREAS no objection was made to the acquisition of lands and rights in the locality aforesaid;

AND WHEREAS the Central Government after consulting the Government of Maharashtra satisfied that out of the lands described in the said Schedule lands measuring 216.64 hectares (approximately) or 535.31 acres (approximately) as described in the schedule appended hereto should be acquired.

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, the Central Government hereby declares that the lands measuring 216.64 hectares (approximately) or 535.31 acres (approximately) described in the said Schedule are hereby acquired.

The plans of the area covered by this notification may be inspected in the Office of the Collector, Chandrapur (Maharashtra) or in the Office of the Coal Controller, 1 Council House Street, Calcutta or in the Office of the Western Coalfields Limited (Revenue Section), Coal Estate, Civil Lines, Nagpur (Maharashtra).

SCHEDULE

HINDUSTAN LALPETH OPEN CAST PROJECT

(PART-I)

WARDHA VALLEY COALFIELD

DISTRICT CHANDRAPUR (MAHARASHTRA)

PLAN NO. C-1(E)/III/JR/212-182

(showing the lands acquired)

ALL RIGHTS

REVENUE LAND (i)

Serial No.	Village	P.C. NO.	Tahsil and District	Area in hectares	Remarks
1.	Chanda Rayatwari	8	Chandrapur	24.13	Part
2.	Mana	6	"	88.28	Part
3.	Nandgaon	6	"	24.80	Part
Total Area :				137.21 hectares	
				(approximately)	
				OR	
				339.04 acres	
				(approximately)	

GOVERNMENT NAZUL LAND (ii)

Serial No.	Name of mohalla	Tahsil and District	Area in hectares	Remarks
1.	Babupeth	Chandrapur	79.43	Part
Total Area ;			79.43 hectares	
			(approximately)	
			OR	
			196.27 acres	
			(approximately)	

Total area of (i) and (ii)

216.64 hectares
(approximately)
OR
535.31 acres
(approximately)

Plot numbers acquired in village Chanda Rayatwari :		K-L	Line passes through village Mana along the eastern boundary of plot no. 26 and meets on the northern side of village road and point 'L'.
148, 149, 150, 151, 152, 153(P), 154(P), 155(P) and 156(P).			
Plot numbers acquired in village Mana :		L-M	Line passes through village Mana along the northern boundary of village road and meets on the common boundary of plot nos. 44, 45 at point 'M'.
18(P), 19/1, 19/2, 20, 21, 22A, 22B, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 40, 41, 42, 51(P), 52(P), 53, 54, 55, 56 and village road.		M-N	Line passes through village Mana along the eastern boundary of village road and meets at point 'N'.
Plot numbers acquired in village Nandgaon :		N-O	Line passes through village Mana in plot nos. 51, 52 and meets on the common boundary of plot nos. 51, 54 at point 'O'.
2/4(P), 3/1, 3/2-3/7-3/6, 3/3-3/4(P), 3/5, 3/8(P), 4/1, 4/2 (P), 4/3, 4/4, 4/5 4/6, 4/7, 4/8, 4/9, 4/10, 4/11, 4/12, 4/13, 4/14, 4/15 and 5(P). Plot numbers acquired in Government Nazul land (Mohalla Babupeth) :		O-P-P ₁ -P ₂	Line passes through village Mana in plot No. 51 along the western boundary of plot nos. 55, 56 then proceeds through village Nandgaon in plot numbers 2/4, 3/3-3/4, 3/8 and meets at point 'P'.
15(P) (Sheet No. 6, Block No. 108); 4(P), 5 to 12, 13(P), 14(P) and 15 (Sheet No. 7, Block No. 109) 1 to 7 (Sheet No. 8, Block No. 110); 1 and 2 (Sheet No. 9, Block No. 111); 1(P) 2 and 3(P) (Sheet No. 10, Block No. 112); 1 to 11 and 12(P) (Sheet No. 12, Block No. 114); and 1(P), 2(P), 3, 4, 5(P) 6(P), 8(P), 9(P) and 10(P) (Sheet No. 13, Block No. 115).		P ¹ -R	Line passes through village Nandgaon in plot number 4/2 and meets on the common boundary of village Nandgaon and-deforested area at point 'R'.
Boundary description :		R-S-T-U-V	Line passes partly along the common boundary of village Nandgaon and deforested area (Dharmshala Tukum) and partly along the common boundary of village Mana and Government forest and meets on common boundary of village Mana, Government Nazul land and deforested area at point 'V'.
A-B	Line passes through Government Nazul land in Sheet Nos. 10, 12 and 13 along the lease-hold boundary of Hindusthan Lalpeth Colliery and meets at point 'B'.	V-A	Line passes partly along the common boundary of Government Nazul land and de-forested area and partly along the northern boundary of Compartment No. 485 and meets on the lease-hold boundary of Hindusthan Lalpeth Colliery at the starting point 'A'.
B-C	Line passes through Government Nazul land in Sheet No. 13 along the lease-hold boundary of Hindusthan Lalpeth Colliery and meets at point 'C'.		
C-D	Line passes through Government Nazul land in Sheet No. 13 along the lease-hold boundary of Hindusthan Lalpeth Colliery and meets at point 'D'.		
D-E	Line passes through Government Nazul land in Sheet No. 13 and meets at point 'E'.		
E-F	Line passes through Government Nazul land in Sheet Nos. 13, 7 and 6 and meets at point 'F'.		
F-G	Line passes through Government Nazul land in Sheet Nos. 6 and 7 then proceeds through village Chanda Rayatwari in plot Nos. 153, 154, 155, 156 and meets on the Eral River Bank at point 'G'.		
G-H	Line passes along the eastern bank of river Eral and meets on the common boundary of villages Chanda Rayatwari and Mana at point 'H'.		
H-I	Line passes through village Mana along the south eastern bank of river Eral and meets on the boundary of plot No. 18 at point 'I'.		
I-J	Line passes through village Mana in plot No. 18 and along the western boundary of plot nos. 21, 22A and meets at point 'J'.		
J-K	Line passes through village Mana along the southern boundary of plot numbers 22A, 22B, 24, 26 and meets at point 'K'.		

[No. 19/(25)/82-CL]

तई दिल्ली, 4 जून, 1982

कां० जा० 2241 — केन्द्रीय सरकार ने, कांयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 7 की उपधारा (1) के अधीन भारत के राजपत्र (असाधारण) भाग 2 खंड 3, उपखण्ड (ii) तारीख 18 अप्रैल, 1982 में प्रकाशित भारत सरकार के भूत-पूर्व इस्पान खान, और कायमा मन्त्रालय (कांयला विभाग) की अधिसूचना सं० का० जा० 263 (अ०) तारीख 18 अप्रैल, 1980 द्वारा उन अधिसूचना से मूलगत अनुसूची "क" और "ख" में वर्णित भूमि में खनिजों के खनन, खदान, बोर करने, उनकी खुदाई करने और उन्हें तलाश करने, प्राप्त करने, उन पर कार्य करने और उन्हें ले जाने के अधिकारों का अर्जन करने के अपने आशय की सूचना दी थी ;

और पूर्वोक्त परिक्षेत्र में खनन अधिकारों के अर्जन किए गए जाने के बारे में कोई आपत्ति नहीं की गई थी ।

और केन्द्रीय सरकार का महाराष्ट्र सरकार से परामर्श करने के पश्चात यह समझात हो गया है कि इससे सम्बन्धित अनुसूची "क" और

नई दिल्ली, 4 जून, 1982

का०आ० 2241 —केंद्रीय सरकार ने, कायला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 7 की उपधारा (1) के अधीन भारत के राजपत्र (असाधारण) भाग 2 खंड 3, उपखण्ड (ii) तारीख 18 अप्रैल, 1982 में प्रकाशित भारत सरकार के भूत-पूर्व हस्ताक्षर, और कायला मंत्रालय (कायला विभाग) की अधिसूचना सं० का० आ० 263 (अ०) तारीख 18 अप्रैल, 1980 द्वारा उक्त अधिसूचना से सलग्न अनुसूची "क" और "ख" में वर्णित भूमि में खनिजों के खनन, खदान, बोर करने, उनकी खुदाई करने और उन्हें तलाश करने, प्राप्त करने, उन पर कार्य करने और उन्हें ले जान के अधिकारों का अर्जन करने के अपने आशय की सूचना दी थी ;

और पूर्वोक्त परिश्रेत में खनन अधिकारों के अर्जन किए गए जाने के बारे में कोई प्राप्ति नहीं की गई थी ।

और केंद्रीय सरकार का महाराष्ट्र सरकार से परामर्श करने के पश्चात यह समझा जा गया है कि इससे सलग्न अनुसूची "क" और

“ख” में वर्णित 9452.61 एकड़ (लगभग) या 3825.34 हेक्टर (लगभग) माप की भूमि में खनिजों के खनन, खदान बोर करने, उनकी खुदाई करने और भनाश करने, प्राप्त करने, उन पर कार्य करने और उन्हें ले जाने के अधिकारों का अर्जन किया जाना चाहिए,

अतः, केन्द्रीय सरकार, उक्त अधिनियम की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इससे संलग्न अनुसूची “क” और “ख” में वर्णित 9452.61 एकड़ (लगभग) या 3825.34 हेक्टर (लगभग) माप की भूमि में खनिजों के

खनन, खदान, बोर करने, उनकी खुदाई करने और उन्हें भनाश करने, प्राप्त करने, उन पर कार्य करने और उन्हें ले जाने के अधिकारों का अर्जन किया जाता है।

इस अधिनियम के अधीन आने वाले क्षेत्र के रेखांक का निरीक्षण कलभर, चन्द्रपुर (महाराष्ट्र) के कार्यालय में या कोयला नियंत्रक 1, कचडसिल हाउस स्ट्रीट कलकत्ता के कार्यालय में या बेस्टरम, कॉन्फोल्डन लिमिटेड (राजस्थान अनुभाग) कॉल एस्टेट, मिथिल लाइन्स, नागपुर-44000, महाराष्ट्र के कार्यालय में किया जा सकता है।

अनुसूची “क”

वर्धा घाटी कोयला क्षेत्र

जिला चन्द्रपुर (महाराष्ट्र)

रेखांक सं० डब्ल्यू सी० एन०/पी० एन० जी० सी०-1(ई)/III/जे० आर० 197-088/क जिसमें वह भूमि वर्णित की गई है जहाँ खनिजों के खनन, खदान, बोर करने, उनकी खुदाई करने और उन्हें भनाश करने, प्राप्त करने, उन पर कार्य करने और उन्हें ले जाने के अधिकारों का अर्जन किया गया है।

बल्लारपुर विस्तार

ब्लाक 1

खनन अधिकार

क्रम सं०	ग्राम का नाम	पटवारी सकिल सं०	तहसील	जिला	सरकारी भूमि	राजस्व भूमि जांच	टिप्पणियाँ
1.	बीमापुर	7	चन्द्रपुर	चन्द्रपुर	158.08	763.60	921.68 भाग
2.	बल्लारपुर	7	"	"	158.24	222.97	381.21 भाग
3.	कडोली	81	राजपुरा	"	136.63	1747.12	1883.75 पूर्ण
4.	कोलगांव	74	"	"	268.42	1435.00	1703.12 पूर्ण
5.	मनोली	80	"	"	40.93	652.30	693.23 पूर्ण
6.	बाबापुर	--	"	"	13.79	565.03	578.82 भाग
7.	मस्ती	--	"	"	104.30	506.88	611.18 भाग
8.	गोरी	"	"	"	9.33	130.86	140.19 भाग
कुल क्षेत्रफल					889.72 एकड़ (लगभग) या 360.06 हेक्टर (लगभग)	6023.76 एकड़ (लगभग) या 2437.72 हेक्टर (लगभग)	6913.48 एकड़ (लगभग) या 2797.78 हेक्टर (लगभग)

बीमापुर ग्राम में अर्जित किए गए प्लॉट संख्यांक : 68 (भाग), 224 (भाग) से 226 (भाग), तक 227, 228, 229 (भाग), से 231 (भाग), तक, 232, 233 (भाग), 234 से 237 तक, 238 (भाग), 252 (भाग), 253 (भाग), 259 ए० बी० (भाग), 259 (भाग) से 261 (भाग) तक, 262/2, 263, 264 (भाग), 265, 266, 267/1, 267/2, 268ए, 268बी, 269 से 275 तक, 276 ए, 276बी, 276 सी, 277 से 291 ए बी तक, 292 ए बी, 293 ए, 293 बी, 293 सी, 294 से 330 तक, 331/1, 331/2, 332 से 418 तक, 420 और ऐसे नाले, सड़क आदि जिसके कोई प्लॉट संख्यांक नहीं है किन्तु जो परिभाषित सीमा में सम्मिलित हैं।

ग्राम बल्लारपुर में अर्जित किए गए प्लॉट संख्यांक : 1×1, 1/2, 2, 3/1, 3/3, 4 से 6 तक, 7/1 से 7/3 तक, 8/1 से 8/6 तक, 10/1 से 10/3 तक, 11 से 14 तक, 15/1, 15/2, 16/17 (भाग), 22/1 (भाग), 23/1, 23/2 (भाग), 24, 57, 58 (भाग), 59 (भाग), 60 से 62 तक, 63 (भाग), 66 से 72 तक, 73/1, 73/2, 74, 85, 76/1, 76/2, 77 से 83 तक, 84/1 से 84/3 तक, 85, 86/1 से 86/4 तक, 88, 89/1, 89/2, 90, 91/1 (भाग) और 323 (भाग)।

ग्राम कोडोली में अर्जित किए गए प्लॉट संख्यांक : 1 से 249 तक (पूर्ण ग्राम) जिसमें ऐसा नाला, सड़क आदि भी सम्मिलित हैं जिनका कोई प्लॉट संख्यांक नहीं है।

ग्राम कोलगांव में अर्जित किए गए प्लॉट संख्यांक : 1 से 168 तक (पूर्ण ग्राम) इसमें ऐसा नाला, सड़क आदि भी सम्मिलित हैं जिनका कोई प्लॉट संख्यांक नहीं है।

ग्राम मनोली में अर्जित किए गए प्लॉट संख्यांक : 1 से 97 तक (पूर्ण ग्राम) इसमें ऐसा नाला, सड़क आदि भी सम्मिलित हैं, जिनका कोई प्लॉट संख्यांक नहीं है।

ग्राम बाबापुर में अर्जित किए गए प्लॉट संख्यांक : 1 से 57 तक, 58 (भाग), 59, 61 से 66 तक, 67 (भाग), से 69 (भाग) तक, 78 (भाग), 95 (भाग), 99 (भाग), से 101 (भाग) तक, 102 से 128 तक, 129 (भाग), और इसमें ऐसा नाला, सड़क आदि भी सम्मिलित हैं, जिनका कोई प्लॉट संख्यांक नहीं है।

ग्राम मस्ती में अर्जित किए गए प्लॉट संख्यांक : 24 (भाग), 25 (भाग) 25 से 36 तक, 37 (भाग), 356 (भाग), 358 (भाग), 359 (भाग), 360 से 367 तक, 368 (भाग) से 370 (भाग),

371 से 396 तक, 397 (भाग), 398 (भाग), 402 (भाग), 403 (भाग), 405 (भाग) 408 (भाग) 409 (भाग), 410 से 434 तक, 435 (भाग) से 437 (भाग) तक, 476 (भाग) और ऐसा नाला, सड़क आदि जिनका कोई प्लॉट संख्यांक नहीं है, किन्तु जो परिभाषित सीमा में सम्मिलित है।

ग्राम गौरी में अजित किंग गण्ड प्लॉट संख्यांक : 52 (भाग), 53 (भाग), 55 (भाग) से 57 (भाग) तक, 62 से 63 तक, 74 (भाग) 75 से 81 तक, 82 (भाग) से 84 (भाग) तक, 85, 86 (भाग) से 89 (भाग) तक और ऐसा नाला, सड़क आदि, जिनका कोई प्लॉट संख्यांक नहीं है किन्तु जो परिभाषित सीमा में सम्मिलित हैं।

सीमा वर्णन

- क--ख रेखा ग्राम कड़ोली और चार्वा की सम्मिलित सीमा के साथ-साथ जाती है और वर्धा नदी (पैन गंगा) की मध्य रेखा में बिन्दु "ख" पर मिलती है।
- ख--ग रेखा वर्धा नदी (पैन गंगा) की मध्य रेखा के, जो ग्राम कड़ोली और नंदगांव की सम्मिलित सीमा के साथ-साथ जाती है और बिन्दु "ग" पर मिलती है।
- ग--ग 1--घ--ड रेखा ग्राम नंदगांव और बीसापुर की सम्मिलित सीमा के साथ-साथ जाती है और बिन्दु "ड" पर मिलती है।
- ड--घ--छ रेखा ग्राम बीसापुर से होकर जाती है और बिन्दु "छ" पर मिलती है (अर्थात् विद्यमान खनन पट्टाधुति सीमा के साथ-साथ जाती है)
- छ--ज--झ रेखा ग्राम बीसापुर में प्लॉट सं० 68 में से होकर जाती है और प्लॉट सं० 266 269, 270, 271 की सीमा के साथ-साथ जाती है और फिर ग्राम बल्लारपुर में प्लॉट सं० 23/2 22/1, 17 से होकर प्लॉट सं० 7/3, 8/2, 10/1, 10/3, 16/1 की सीमा के साथ-साथ होकर प्लॉट सं० 59, 58, 63 से होकर आगे

झ--झ

ज--ट--ट 1--ठ--ड

ड--ड

ड--ग--न

त--ध--ध--व--घ

घ--घ--1--क

बहती है और प्लॉट सं० 91/1 में बिन्दु "झ" पर मिलती है।

रेखा बल्लारपुर कोयला खान की विद्यमान खनन पट्टाधुति सीमा और प्लॉट सं० 89/2, 88 के साथ-साथ ग्राम बल्लारपुर में प्लॉट सं० 91/1 से होकर जाती है और प्लॉट सं० 86/4 की सम्मिलित सीमा पर और वर्धा नदी के पूर्वी किनारे पर बिन्दु "ज" पर मिलती है।

रेखा बल्लारपुर कोयला खान की खनन पट्टाधुति की पश्चिमी सीमा के साथ-साथ (बल्लारपुर ग्राम से होकर) जो वर्धा नदी का पूर्वी किनारा भी है, जाती है और वर्धा नदी को पार कर उसके पश्चिमी किनारे पर बिन्दु "ड" पर मिलती है।

रेखा मस्ती खनन पट्टाधुति की उत्तरी सीमा के जो वर्धा नदी का दक्षिणी किनारा भी है) साथ-साथ जाती है और मस्ती ग्राम के प्लॉट सं० 37 में बिन्दु "क" पर मिलती है।

रेखा मस्ती ग्राम में प्लॉट सं० 37, 476, 23, 24, 437, 436, 435, 408, 409, 405, 403, 402, 397, 398, 370, 369, 368, 356, 358, 359 से होकर गौरी ग्राम में प्लॉट सं० 82, 83, 84, 86, 88, 87, 89, 53 से होकर जाती है और प्लॉट सं० 52 में बिन्दु "त" पर मिलती है।

रेखा विद्यमान पवानी पट्टाधुति की सीमा के साथ-साथ गौरी, बाबापुर, मनीली ग्राम से होकर जाती है और बाबापुर ग्राम के प्लॉट सं० 95 में बिन्दु "ध" पर मिलती है।

रेखा ग्राम बाबापुर में प्लॉट सं० 95 से आरम्भ होती है और ग्राम पवानी तथा बाबापुर की सम्मिलित सीमा के साथ-साथ आगे बढ़ती है और आरंभिक बिन्दु "क" पर मिलती है।

अनुसूची "ख"

वर्धा बाटो कोयला क्षेत्र

जिला चन्द्रपुर (महाराष्ट्र)

(रेखांक सं० डब्ल्यू. सी० एल०/पी० एल० जी०/सी०-1(ई)/III जे० आर० 197-088/ख)

जिसमें यह भूमि दशित की गई है जहां खनिजों के खनन, खदान, बोर करने, उनकी खुदाई करने और उन्हें तलाश करने, प्राप्त करने, उन पर कार्य करने और उन्हें ले जाने के अधिकारों का अर्जन किया गया है।

बल्लारपुर विस्तार

ब्लॉक 2

खस अधिकार

क्रम सं०	ग्राम का नाम	पट्टाधारी सॉकिल सं०	तहसील	जिला	सरकारी भूमि	राजस्व भूमि	जॉइ	टिपणियां
1	2	3	4	5	6	7	8	9
1.	बल्लारपुर	7	चन्द्रपुर	चन्द्रपुर	4.02	85.52	89.54	भाग
2.	बहमानी	40	"	"	63.95	736.10	800.05	भाग
3.	बुधुली	40	"	"	92.54	432.36	524.90	भाग
4.	देहेली	40	चन्द्रपुर	"	26.20	1077.50	1103.70	भाग
5.	राजुरा	--	राजुरा	"	20.94	--	20.94	भाग

कुल क्षेत्र	207.65	2331.46	2539.13
एकड़	एकड़	एकड़	
(लगभग)	(लगभग)	(लगभग)	
या	या	या	
81.04	943.52	1027.56	
हैक्टर	हैक्टर	हैक्टर	
(लगभग)	(लगभग)	(लगभग)	

बल्लारपुर ग्राम में अर्जित किए गए प्लॉट संख्यांक

198/1 (भाग), 198/2 से 198/36 तक, 199/1 से 199/5 तक, 199/7 से 199/9 तक, 200, 201/1, 202, 201/3 (भाग), 201/4, 201/5, 201/6, (भाग), से 201/12 (भाग) तक, 202/1 (भाग), 202/2 (भाग), 203 (भाग), 339 (भाग), 340 (भाग), 341/1 (भाग), 341/2 (भाग), 351 (भाग) और 351 (भाग)।

बहुमता ग्राम में अर्जित किए गए प्लॉट संख्यांक: 97 से 114 तक, 115 (भाग), 116 (भाग), 117 से 122 तक, 123 (भाग), 124, 125 (भाग), 126 से 136 तक, 137 ए, 137 बी, 138 से 147 तक, 148 ए, 148 बी, 149, 150, 151 ए, 151 बी, 152 से 220 तक, 221 ए, 221 बी, 222 ए, 222 बी, 223 से 239, 241 से 274 तक, 275 ए, 274 बी 276 से 277।

बुधली ग्राम में अर्जित किए गए प्लॉट संख्यांक: 1 से 18 तक, 19 ए, 19 बी, 20, 21 (भाग), 22 (भाग), 23 बी (भाग), 34 (भाग) से 36 (भाग) तक, 37 से 67 तक, 68 ए, 68 बी, 69 से 74 तक, 75 ए, 75 बी, 76 से 108 तक और 109 (भाग)।

देहेली ग्राम में अर्जित किए गए प्लॉट संख्यांक: 3 से 29 तक, 31 से 135 तक, 136 ए, 136 बी, 157 से 117 तक, 148 ए, 118 बी, 149 ए, 149 बी, 150 से 155 तक, 157, 159 ए, 158 बी, 159 से 170 तक, 171 ए, 171 बी, 172 ए, 172 बी, 173 से 210 तक, और 213 से 224 तक।

राजुरा ग्राम में अर्जित किए गए प्लॉट संख्यांक: राजुरा ग्राम में वर्धा नदी का एक भाग जिसका कोई प्लॉट सं० नहीं है जैसा कि परिभाषित सीमा में उपदर्शित है।

सीमा वर्णन

न-य रेखा ग्राम बल्लारपुर में प्लॉट सं० 198/2 से 198/36 तक की उत्तरी पश्चिमी सीमा में आरम्भ होती है और उसी ग्राम में प्लॉट संख्यांक 198/1 से होकर बहुमता ग्राम के प्लॉट सं० 125, 123, 116, 115 से होकर फिर प्लॉट सं० 110, 109, 107, 100, 98, 97, 230, 231, 238, 239, 241, 242, 243 की सीमा के साथ-साथ देहेली ग्राम से होकर प्लॉट सं० 3 की सीमा के साथ-साथ जाती है और बिंदु "प" पर मिलती है।

प-क रेखा करखदेन नाले के दक्षिण पश्चिमी किनारे के साथ-साथ देहेली ग्राम से होकर जाती है और फिर प्लॉट सं० 242 की पूर्वी सीमा (नाले के उम पार) के साथ-साथ जाती है और वर्धा नदी के उत्तरी किनारे पर बिंदु "क" पर मिलती है।

क-ब 2 रेखा वर्धा नदी और बुधली ग्रामों वर्धा नदी के उत्तरी किनारे के साथ-साथ जाती है और बिंदु "ब-2" पर मिलती है।

ब-2-ब 1 रेखा वर्धा नदी के उत्तरी किनारे से आरम्भ होती है और (वर्धा नदी के उम पार) दक्षिण किनारे पर बिंदु "ब-1" पर मिलती है।

ब 1-ब रेखा राजुरा ग्राम में वर्धा नदी के दक्षिणी किनारे के साथ-साथ जाती है और बिंदु "ब" पर मिलती है।

ब-य रेखा ग्राम राजुरा और बुधली में वर्धा नदी के उम पार (अर्थात् बल्लारपुर कोयला खान की विद्यमान खनन पट्टाधुति के साथ-साथ) जाती है और बुधली ग्राम में प्लॉट सं० 36 की सीमा पर बिंदु "ब" पर मिलती है।

भ-म-य-य 1-न रेखा ग्राम बुधली में प्लॉट सं० 36, 35, 34, 238, 22, 21 से होकर और ग्राम बल्लारपुर में प्लॉट सं० 351, 350, 341/1, 341/2, 340, 339, 202/1, 201/2, 201/3, 201/10, 201/11, 2241/12, 203/1, 201/6 से 9 तक होकर (अर्थात् बल्लारपुर कोयला खान की विद्यमान पट्टाधुति सीमा के साथ-साथ) जाती है और आरंभिक बिंदु "न" पर मिलती है।

[सं० 19/117/81-सी एल]

स्वर्ण मिश्र, प्रवर मन्त्रि

New Delhi, the 4th June, 1982

S.O. 2241.—Whereas by the notification of the Government of India in the late Ministry of Steel, Mines and Coal Department of Coal No. S.O. 263(E) date the 18th April, 1980 issued under sub-section (1) of Section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) and published in Part II, Section 3, Sub-section (ii) of the Gazette of India (Extraordinary) dated the 18th April, 1980, the Central Government gave notice of its intention to acquire the rights to mine, quarry, bore, dig and search for win, work and carry away minerals in the lands described in the Schedule "A" and "B" appended to that notification—

And Whereas no objection was made to the acquisition of Mining Rights in the locality aforesaid;

And Whereas the Central Government after consulting the Government of Maharashtra is satisfied that the rights to mine, quarry, bore, dig and search for win, work and carry away minerals in the lands measuring 9452.61 acres (approximately) or 3825.34 hectares (approximately) described in the Scheduled "A" and "B" appended hereto should be acquired;

Now, Therefore, in exercise of the powers conferred by sub-section (1) of Section 9 of the said Act, the Central Government hereby declares that the rights to mine, quarry, bore, dig and search for win, work and carry away minerals in the lands measuring 9452.61 acres (approximately) or 3825.34 hectare (approximately) described in the Schedules "A" and "B" appended hereto are hereby acquired.

The plans of the area covered by this notification may be inspected in the Office of the Collector, Chandrapur (Maharashtra) or in the office of the Coal Controller, 1 Council House Street, Calcutta or in the Office of the Western Coalfields Limited (Revenue Section), Coal Estate, Civil Lines, Nagpur-440001 (Maharashtra).

SCHEDULE "A"

WARDHA VALLEY COALFIELDS
DISTRICT-CHANDRAPUR (MAHARASHTRA)
PLAN No. WCL/PLG/C-1(E)/III/JR/197-0881 A

(Showing lands where right to mine, quarry, bore, dig and search for, win, work and carry away minerals are acquired)

BALLARPUR EXTENSION**BLOCK I****MINING RIGHTS**

Sl. No.	Name of Village	P.C. No.	Tahsil	District	Govt. land	Revenue land	Total	Remarks
1.	Visapur	7	Chandrapur	Chandrapur	158.08	763.60	921.68	Part
2.	Ballarpur	7	"	"	158.24	222.97	381.21	Part
3.	Kadoli	81	Rajura	"	136.63	1747.12	1883.75	Full
4.	Kolgaon	79	"	"	268.42	1435.00	1703.42	Full
5.	Manoli	80	"	"	40.93	652.30	693.23	Full
6.	Babapur	—	"	"	13.79	565.03	578.82	Part
7.	Sasti	—	"	"	104.30	506.88	611.18	Part
8.	Gouri	—	"	"	9.33	130.86	140.19	Part
Total Area :					889.72	6023.76	6913.48	
					acres	acres	acres	
					(approxim- ately)	(approxim- ately)	(approxim- ately)	
					or	or	or	
					360.06	2437.72	2797.78	
					hectares	hectares	hectares	
					(appro- ximately)	(appro- ximately)	(appro- ximately)	

Plot numbers acquired in village Visapur :

68(P), 224(P) to 226(P), 227, 228, 229(P) to 231(P), 232, 233(P), 234 to 237, 238(P), 252(P), 253(P), 258AB(P), 259(P) to 261(P), 262/1, 262/2, 263, 264(P), 265, 266, 267/1, 267/2, 268A, 268B, 269 to 275, 276A, 276B, 276C, 277 to 291, 292AB, 293A, 293B, 293C, 294 to 330, 331/1, 331/2, 332 to 418, 420 and Nullah, road etc. bearing no plot numbers but included in defined boundary.

Plot numbers acquired in village Ballarpur :

1/1, 1/2, 2, 3/1, to 3/3, 4 to 6, 7/1 to 7/3, 8/1 to 8/6, 10/1 to 10/3, 11 to 14, 15/1, 15/2, 16/1, 17(P), 22/1(P), 23/1, 23/2(P), 24, 57, 58(P), 59(P), 60 to 62, 63(P), 66 to 72, 73/1, 73/2, 74, 75, 76/1, 76/2, 77 to 83, 84/1 to 84/3, 85, 86/1 to 86/4, 88, 89/1 89/2, 90, 91/1(P) and 323(P).

Plot numbers acquired in village Kadoli :

1 to 249 (full village) including Nullah, road etc. bearing no plot numbers.

Plot numbers acquired in village Kolgaon :

1 to 168 (full village) including Nullah road etc. bearing no plot numbers.

Plot numbers acquired in village Manoli :

1 to 97 (full village) including Nullah, road etc. bearing no plot numbers.

Plot numbers acquired in village Babapur :

1 to 57, 58(P), 59, 60(P), 61 to 66, 67(P) to 69(P), 78(P), 95(P), 99(P) to 101(P), 102 to 128, 129(P) and Nullah, road etc. bearing no plot numbers but included in defined boundary.

Plot numbers acquired in village Sasti :

23(P), 24(P), 25 to 36, 37(P), 356(P), 358(P), 359(P), 360 to 367, 368(P) to 370(P), 371 to 396, 397(P), 398(P), 402(P), 403(P), 405(P), 408(P), 409(P), 410 to 434, 435(P), to 437(P), 476(P) and Nullah road etc. bearing no plot numbers but included in defined boundary.

Plot numbers acquired in village Gouri :

52(P), 53(P), 55(P) to 57(P), 62 to 73, 74(P), 75 to 81, 82(P) to 84(P), 85, 86(P) to 89(P) and Nullah, road etc. bearing no plot numbers but included in defined boundary.

Boundary Description :

A-B Line passes along the common boundary of village Kadoli and Charli and meets in the central line of River Wardha (Pain Ganga) at point "B".

B-C Line passes along the central line of River Wardha (Pain Ganga) which is the common boundary of village Kadoli and Nandgaon and meets at point "C".

C-C1-D-E Line passes along the common boundary of villages Nandgaon and Visapur and meets at point "E".

E-F-G- Line passes through village Visapur and meets at point "G" (i.e. along the existing mining leasehold boundary).

G-H-I Line passes through village Visapur in plot number 68 and along the boundary of plot numbers 266, 269, 270, 271 then proceeds through village Ballarpur in plot numbers 23/2, 22/1, 17 along the boundary of plot numbers 7/3, 8/2, 10/1, 10/3, 16/1 through plot numbers 59, 58, 63 and meets in plot number 91/1 at point "I".

I-J Line passes through village Ballarpur in plot number 91/1 along the existing mining leasehold boundary of Ballarpur colls. and plot numbers 89/2, 88 and meets on the common boundary of plot number 86/4 and on eastern Bank of River Wardha at point "J".

J-K-K1-L-M	Line passes along the western boundary of mining lease hold of Ballarpur colliery (through village Ballarpur) which is also the eastern bank of River Wardha and meets across River Wardha on the western bank at point "M".	369, 368, 356, 358, 359 through village Gouri in plot numbers 82, 83, 84, 86, 88, 87, 89, 53 and meets in plot number 52 at point "P".
M-N	Line passes along the northern boundary of Sasti mining lease hold (which is also a southern bank of River Wardha) and meets in plot number 37 of village Sasti at point "N".	P-Q-Q1-R-S Line passes through villages Gouri, Manoi Babapur along the boundary of existing Pawani leasehold and meets in plot number 95 of village Babapur at point "S".
N-O-P	Line passes through village Sasti in plot numbers 36, 476, 23, 24, 437, 436, 435, 408, 409, 405, 403, 402, 397, 398, 370,	S-S1-A Line starts from village Babapur in plot number 95, proceeds along the common boundary of villages Pawani and Babapur and meets at the starting point "A".

SCHEDULE "B"
WARDHA VALLEY COALFIELDS
DISTRICT-CHANDRAPUR (MAHARASHTRA)

PLAN No. WCL/PLG(C-1)E/III/JR/ 197-0881 B

(showing lands where rights to mine, quarry, bore, dig and search for, win, work and carry away minerals are acquired.)

BALLARPUR EXTENSION
BLOCK 2
MINING RIGHTS

Sl. No.	Name of Village	P.C. No.	Tahsil	District	Govt. land	Revenue land	Total	Remarks
1.	Ballarpur	7	Chandrapur	Chandrapur	40.2	85.52	89.54	Part
2.	Bahmani	40	"	"	63.95	736.10	800.05	Part
3.	Dudhuli	40	"	"	92.54	432.36	524.90	Part
4.	Daheli	40	"	"	26.20	1077.50	1103.70	Part
5.	Rajura	—	Rajura	"	20.94	—	20.94	Part
Total Area :					207.65 acres (approx- mately) or 84.04 hectares (approx- mately)	2331.48 acres (approx- mately) or 943.52 hectares (approx- mately)	2539.13 acres (approx- mately) or 1027.56 hectares (approx- mately)	

Plot numbers acquired in village Ballarpur :
 198/1(P), 198/2 to 198/36, 199/1, to 199/5, 199/7 to 199/9, 200, 201/1, 201/2, 201/3(P), 201/4, 201/5, 201/6(P) to 201/12(P), 202/1(P), 202/2(P), 203(P), 339(P), 340(P), 341/1(P), 341/2(P), 350(P) and 351(P).

Plot numbers acquired in village Bahmani :
 97 to 114, 115(P), 116(P), 117 to 122, 123(P), 124, 125(P), 126 to 136, 137A, 137B, 138 to 147, 148A, 148B, 149, 150, 151A, 151B, 152 to 220, 221A, 221B, 222A, 222B, 223 to 239, 241 to 274, 275A, 275B, 276 and 277.

Plot numbers acquired in village Dudhuli :
 1 to 18, 19A, 19B, 20, 21(P), 22(P), 23(B)(P), 34(P) to 36(P), 37 to 67, 68A, 68B, 69 to 74, 75A, 75B, 76 to 108 and 109(P)

Plot numbers acquired in village Daheli :
 3 to 29, 31 to 135, 136A, 136B, 137 to 147, 148A, 148B, 149A, 49B, 150 to 155, 157, 158A, 158B, 159 to 170, 171A, 172B, 173 to 210 and 213 to 224.

Plot numbers acquired in village Rajura :

A part of River Wardha in village Rajura bearing no plot number as indicated in the defined boundary.

Boundary Description :

T—U Line starts from the north western boundary of plot numbers 198/2 to 198/36 of village Ballarpur and passes through the same village in plot number 198/1 through village Bahmani in plot numbers 123, 123, 116, 115 then along the boundary of plot numbers 110, 109, 107, 100, 98, 97, 230, 231, 238, 239, 241, 242, 243 through village Daheli along the boundary of plot number 3 and meets at point "U".

U—V Line passes through village Daheli along the south western bank of Kakhdonu nullah, proceeds along the eastern boundary of plot number 242 (across the nullah and meets on the northern bank of River Wardha at point "V".

V—W2 Line passes along the northern bank of River Wardha in villages Daheli and Dudhuli and meets at point "W2".

W2—W1 Line starts from northern bank of river Wardha and meets on the southern bank (across River Wardha) at point "W1".

W1—W Line passes along the southern bank of River Wardha in village Rajura and meets at point "W".

W—X Line passes across River Wardha in villages Rajura and Dadhuli (i.e. along the existing mining lease hold boundary of Ballarpur colls.) and meets on the boundary of plot number 36 in village Dadhuli at point "X".

X—Y—Z—
Z1—T Line passes through village Dudhuli in plot numbers 36, 35, 34, 23B, 22, 21 and through village Ballarpur in plot numbers 351, 350, 341/1, 341/2, 340, 339, 202/1, 202/2, 201/3, 201/10, 201/11, 201/12, 203, 201/6, to 9 (i.e. along the existing leasehold boundary of Ballarpur colls.) and meets at the starting point "T".

SWARAN SINGH, Under Secy,
 [No. 19/117/81-CL]

नई दिल्ली, 4 जून, 1982

New Delhi, the 4th June, 1982

क्र० आ० 2242.—केन्द्रीय सरकार, कोयला खान भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1948 (1948 का 46) की धारा 3क की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के श्रम मंत्रालय की अधिसूचना सं० का० आ० 2151 दिनांक 10 जुलाई, 1978 में निम्नलिखित संशोधन करती है, यथा :—

उपरोक्त अधिसूचना में, क्रम संख्या 1 तथा उसके सामने की प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियां प्रतिस्थापित की जाएंगी, यथा :—

“1 सचिव, भारत सरकार
ऊर्जा मंत्रालय, कोयला विभाग,
नई दिल्ली

अध्यक्ष”

[सं० बी० 21012/2/78-प्रशा० 1 (पी एक)]

श्रीमती कृष्ण लेखा सूब, निदेशक

S.O. 2242.—In exercise of the powers conferred by sub-section (1) of section 3A of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour No. S.O. 2151, dated the 10th July, 1978, namely :—

In the said notification, for serial No. 1 and the entries relating thereto, the following shall be substituted, namely:—

“1. The Secretary to the
Government of India,
Ministry of Energy,
Department of Coal,
New Delhi.

Chairman

[No. V. 21012(2)/78-Adm.1(PF)]
Smt. K. SOOD, Director

स्वास्थ्य और परिवार कल्याण मंत्रालय

नई दिल्ली, 5 जून, 1982

क्र० आ० 2243.—होम्योपैथी केन्द्रीय परिषद् अधिनियम 1973 (1973 का 59) की धारा 13 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, केन्द्रीय होम्योपैथी परिषद् से परामर्श करते के पश्चात् उक्त अधिनियम की दूसरी अनुसूची में आगे निम्नलिखित संशोधन करती है अर्थात् :—

उक्त अनुसूची में—

(क) “राजस्थान” शीर्ष के अन्तर्गत मव संख्या 13क बदलकर इसे क्रम संख्या 13कक कर दिया जाए ;

(ख) “उड़ीसा” शीर्ष के अन्तर्गत मव 13 तथा उसमें की गई प्रविष्टियों के पश्चात् निम्नलिखित मव तथा प्रविष्टियां समाविष्ट की जाए ; अर्थात् :—

	1	2	3	4
“13क	उत्कल विश्वविद्यालय, बाणिया बिहार, भुवनेश्वर	डिप्लोमा इन होम्योपैथिक मेडिसिन एण्ड सर्जरी	बी० एच० एम० एस०	1981 और उसके बाद,”

(ग) “राजस्थान” शीर्ष के अन्तर्गत, मव संख्या 13कक और उसमें की गई प्रविष्टियों के पश्चात् निम्नलिखित मव और प्रविष्टियां समाविष्ट की जाएंगी, अर्थात् :—

	1	2	3	4
“13कक	राजस्थान बोर्ड ऑफ होम्यो- पैथिक मेडिसिन, जयपुर	डिप्लोमा इन होम्योपैथिक मेडिसिन एण्ड सर्जरी	डी० एच० एम० एस०	1979 और उसके बाद,”

(घ) “तमिलनाडु” शीर्ष के अन्तर्गत मव 13 ख और उसमें की गई प्रविष्टियों के पश्चात् निम्नलिखित मव और प्रविष्टियां समाविष्ट की जाएंगी अर्थात् :—

	1	2	3	4
“13कख	निदेशक, सरकारी परीक्षाएं मद्रास तमिलनाडु	डिप्लोमा इन होम्योपैथिक मेडिसिन एण्ड सर्जरी	डी० एच० एम० एस०	1978 और उसके बाद,”

(ङ) मव संख्या 29 और उससे सम्बन्धित प्रविष्टियों के पश्चात् निम्नलिखित प्रविष्टियां समाविष्ट की जाएंगी- अर्थात् :—

	1	2	3	4
“पंजाब	30 होम्योपैथिक चिकित्सा पद्धति परिषद, पंजाब	डिप्लोमा इन होम्योपैथिक मेडिसिन एण्ड सर्जरी	डी० एच० एम० एस०	1978 और उसके बाद”

[सं० बी०- 7021/1/81-होमियो]
पी० एल० कपूर, डेप्ट अफिकारी

MINISTRY OF HEALTH & FAMILY WELFARE

New Delhi, the 5th June, 1982

S.O. 2243.—In exercise of the powers conferred by sub-section (2) of section 13 of the Homoeopathy Central Council Act, 1973 (59 of 1973), the Central Government, after consulting the Central Council of Homoeopathy, hereby makes the following further amendments in the Second Schedule to the said Act, namely :—

In the said Schedule—

(a) under the heading “RAJASTHAN”, item 13A shall be re-numbered as item 13AA;

(b) under the heading “ORISSA”, after item 13 and the entries relating thereto, the following item and entries shall be inserted, namely—

	1	2	3	4
“13A	Utkal University, Vani Vihar Bhubaneswar.	Bachelor of Homoeopathic Medicine and Surgery.	B.H.M.S.	From 1981 onwards.”

(c) under the heading "RAJASTHAN", after item 13AA as so re-numbered and the entries relating thereto, the following item and entries shall be inserted namely :—

"13AAB."	1	2	3	4
	Rajasthan Board of Homoeopathic Medicine, Jaipur.	Diploma in Homoeopathic Medicine and Surgery	D.H.M.S.	From 1979 on wards.";

(d) under the heading "TAMIL NADU", after item 13B and the entries relating thereto, the following item and entries shall be inserted, namely :—

"13BA	1	2	3	4
	Director of Government Examinations Madras, Tamil Nadu.	Diploma in Homoeopathic Medicine and Surgery.	D.H.M.S.	From 1978 onwards.";

(e) after item 29 and the entries relating thereto, the following shall be inserted, namely :—

"PUNJAB"	1	2	3	4
30	Council of Homoeopathic System of Medicine, Punjab	Diploma in Homoeopathic Medicine and Surgery.	D. H. M. S.	From 1978 onward."

[F. No. V. 27021/81/81-Homoeo]
P. L. KAPUR, Desk Officer,

ग्रामीण विकास मंत्रालय

नई दिल्ली, 4 जून, 1982

क्र० आ० 2244--ग्रनशास श्रेणीकरण और चिह्नांकन नियम, 1981 का एक प्रारूप, कृषि उपज (श्रेणीकरण और चिह्नांकन) अधिनियम, 1937 (1937 का 1) की धारा 3 द्वारा यथा अपेक्षित भारत सरकार के ग्रामीण पुनर्निर्माण मंत्रालय की अधिसूचना संख्या क्र० आ० 1950 तारीख 11 जून, 1981 के अधीन भारत के राजपत्र भाग 2, खंड 3, उपखंड (ii) तारीख 18 जुलाई, 1981 पर प्रकाशित किया गया था, जिसमें उक्त अधिसूचना के राजपत्र में प्रकाशन की तारीख से वैतालीस दिन की अवधि की समाप्ति के पूर्व उन सभी व्यक्तियों से आशेष और सुझाव मांगे गए थे, जिनके उससे प्रभावित होने की संभावना थी,

और उक्त राजपत्र की प्रतियां 12 अगस्त, 1981 को जनता को उपलब्ध करा दी गई थी;

और केन्द्रीय सरकार को जनता से उक्त प्रारूप की बाबत कोई आशेष और सुझाव प्राप्त नहीं हुए हैं;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निम्नलिखित नियम बनाती है, अर्थात् :—

नियम

1. संक्षिप्त नाम लागू होना और प्रारम्भ

(1) इन नियमों का संक्षिप्त नाम ग्रनशास श्रेणीकरण और चिह्नांकन नियम, 1982 है।

(2) ये भारत में उत्पादित ग्रनशास को लागू होंगे।

(3) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. परिभाषाएं :

इन नियमों में, जब तक कि संदर्भ से अन्यथा अपेक्षित न हो,—

(1) "कृषि विपणन सलाहकार" से कृषि विपणन सलाहकार, भारत सरकार अभिप्रेत है;

(2) "ग्रनसूची" से, इन नियमों से उपाखण्ड ग्रनसूची अभिप्रेत है;

(3) "प्राधिकृत पैकट" से ऐसा व्यक्ति या व्यक्ति निकाय अभिप्रेत है जिसे नियमों के अधीन विहित श्रेणी मानकी और प्रक्रिया के अनुसार वस्तु को श्रेणीकृत और एगमार्क करवाने के लिए कृषि विपणन सलाहकार द्वारा प्राधिकार प्रमाणपत्र प्रदत्त किया गया है ;

(4) "प्रमाणपत्र" से, प्राधिकार-प्रमाणपत्र अभिप्रेत है।

3. श्रेणी अभिधान :

ग्रनशास को क्वालिटी उपबंशित करने वाला श्रेणी अभिधान बही होगा जो ग्रनसूची के स्तम्भ 1 में उपबंशित है।

4. क्वालिटी की परिभाषा—

श्रेणी अभिधान द्वारा उपबंशित क्वालिटी बही होगी, जो ग्रनसूची 1 से V के स्तम्भ 2 और 3 में प्रत्येक श्रेणी अभिधानों के सामने उपबंशित है।

5. श्रेणी अभिधान चिह्न :

श्रेणी अभिधान चिह्न में एक ऐसा लेबल होगा, जिसमें श्रेणी विनिर्दिष्ट होगी और भारत का एक ऐसा मानचित्र होगा, जिसमें एगमार्क शब्द, उगने पूर्व का चित्र तथा "Product of India" और "भारतीय उत्पाद" शब्द होंगे, और जो अनुसूची VI में यथाउपबंशित चिह्न के अनुरूप होगा।

6. चिह्नांकन की पद्धति :

(1) श्रेणी अभिधान चिह्न, कृषि विपणन सलाहकार द्वारा अनुमोदित रीति से प्रत्येक पेटी पैकेज पर भजबूती से चिपकाया जाएगा।

(2) श्रेणी अभिधान के अनुरिकत, लेबल पर निम्नलिखित विशिष्टि भी स्पष्टतया चिह्नांकित की जाएगी :

(क) किस्म का नाम;

(ख) शुद्ध भार;

(ग) पैक करने के स्टेशन का नाम;

(घ) पैक करने की तारीख; और

(ङ) कोई अन्य विशिष्टियां, जो कृषि विपणन सलाहकार द्वारा समय-समय पर विनिर्दिष्ट की जाएं।

(3) प्राधिकृत पैकर, कृषि विपणन सलाहकार का पूर्व ग्रनमोदन अभिप्राप्त करके, उक्त अधिकारी द्वारा अनुमोदित रीति से आधान पर अपना निजी व्यापार चिह्न तक चिह्नांकित कर सकेगा, जब कि निजी व्यापार चिह्न, इन नियमों के अनुसार आधान पर चिपकाए गए श्रेणी अभिधान चिह्न द्वारा उपबंशित ग्रनशासों की क्वालिटी या श्रेणी से निम्न क्वालिटी या श्रेणी का संकेत नहीं हो।

7. पैक करने की पद्धति

(1) ग्रनशास, बांस की टोकियों (सिलिंडरकार, शंकुकार, आयताकार, घड़े गोलाकार या फनाकार) या लकड़ी की पेटियों या केटों या

किसी अन्य प्रकार के आधान में और ऐसी रीति से जो कृषि विपणन सभाकार द्वारा समय-समय पर विनिर्दिष्ट की जाए, पैक किए जाएंगे।

(2) पैक करने के लिए सामग्री स्वच्छ और सूखी, फफूंदी और कीट आक्रांत तथा हानिकर गंध से मुक्त होगी।

(3) प्रत्येक पैकेज में उसी किस्म के और उसी श्रेणी अधिधान के अनन्तास होंगे और ऊपरी तह आकार, परिपक्वता, रंग, बनावट, भार और वृष्य दोषों से मुक्ति की बाबत पैकेज की समस्त सामग्री की बोतल होगी;

(4) प्रत्येक पैकेज कृषि विपणन सभाकार द्वारा विहित रीति से मजबूती के साथ बन्ध और मुहरबन्द किया जाएगा।

अनुसूची-I

(नियम 3 और 4 देखिए)

अनन्तास की, जो वाणिज्यिक चलन में कीज के रूप में ज्ञात हैं, क्वालिटी के श्रेणी अधिधान और परिभाषा

श्रेणी अधिधान	क्वालिटी की परिभाषा विशेष लक्षण (ग्रामों में न्यूनतम भार)	साधारण लक्षण
1	2	3
अति विशेष	2,250	अनन्तास, वनस्पति चलन में अनन्तास गुच्छकेशी के रूप में ज्ञात वनस्पति फल होंगे प्रत्येक फलः
विशेष	1,750	(1) उसी किस्म के सामान्य आकार और रंग का होगा और समस्त पैक में युक्ति युक्त रूप से एक समान होगा तथा विकृति-मुक्त होगा ;
अच्छा	1,250	(2) परिपक्वता की ऐसी स्थिति में पहुंच गया होगा कि तत्पश्चात् परिवहन और विपणन के मामूली अनुक्रम में वह पक सकता है ; (3) अच्छी टिकाऊ क्वालिटी का और ठोस होगा। (4) फफूंदी, रोग, कीट आक्रांत या यांत्रिक क्षति या भ्रंश या छिड़काव से होने वाले घब्बे या दोषों से मुक्त होगा ; (5) के डंठल को, अधिक से अधिक 8 से०मी० छोड़कर फल के पास से हटा दिया जाएगा ; (6) के शीर्ष को अधिक से अधिक 10 से० मी० की लम्बाई तक काटकर छोटा कर दिया जाएगा।

छूट :—

(1) घब्बे से फफूंदी रोग, छिड़काव, कीटाणु नाशक जीवों, मोले, तूफान या यांत्रिक क्षति के कारण ऐसा घब्बा/दोष बिन्दु प्रभावित है जो तत्पश्चात् भर जाता है और फल की क्वालिटी को सारतः प्रभावित नहीं करता। घब्बा प्रभावित फल के कुल क्षेत्र के 10 प्रतिशत से अधिक नहीं होगा और किसी पैकेज/आधान में ऐसे प्रभावित फलों की संख्या, फलों की संख्या के 10 प्रतिशत से अधिक नहीं होगी।

(2) 10 प्रतिशत फलों के लिए भार और परिपक्वता की बाबत 10 प्रतिशत की छूट, श्रेणीकरण से आकस्मिक त्रुटियों के लिए अनुज्ञात की जाएगी।

टिप्पणः—जब अति विशेष श्रेणी के लिए नियत न्यूनतम भार से अधिक अनन्तास पैक किए जाते हैं, तब पैक करने वाले के विवेकानुसार पैक किए गए फलों का भार श्रेणी अधिधान के साथ संलग्न किया जा सकेगा (उदाहरणार्थ अति विशेष, 2,750 ग्राम)।

अनुसूची-II

(नियम 3 और 4 देखिए)

अनन्तास की, जो वाणिज्यिक चलन में मारीशियस के रूप में ज्ञात हैं, क्वालिटी के श्रेणी अधिधान और परिभाषा

श्रेणी अधिधान	क्वालिटी की परिभाषा विशेष लक्षण (ग्रामों में न्यूनतम भार)	साधारण लक्षण
1	2	3
अति विशेष	1,000	अनन्तास, वनस्पति चलन में अनन्तास गुच्छकेशी के रूप में ज्ञात वनस्पति फल होंगे।
विशेष	750	प्रत्येक फलः
अच्छा	500	(1) उसी किस्म के सामान्य आकार और रंग का होगा और समस्त पैक में युक्ति युक्त रूप से एक समान होगा तथा विकृति मुक्त होगा ; (2) परिपक्वता की ऐसी स्थिति में पहुंच गया होगा कि तत्पश्चात् परिवहन और विपणन के मामूली अनुक्रम में वह पक सकता है ; (3) अच्छी टिकाऊ क्वालिटी का और ठोस होगा ; (4) फफूंदी, रोग, कीट आक्रांत या यांत्रिक क्षति या भ्रंश या छिड़काव से होने से होने वाले घब्बे या दोषों से मुक्त होगा ; (5) के डंठल को, अधिक से अधिक 8 से०मी० छोड़कर फल के पास से हटा दिया जाएगा ; (6) के शीर्ष को अधिक से अधिक 10 से० मी० की लम्बाई तक काटकर छोटा कर दिया जाएगा।

छूट :—

(1) घब्बे से फफूंदी रोग, छिड़काव, कीटाणु नाशक जीवों, मोले, तूफान या यांत्रिक क्षति के कारण ऐसा घब्बा/दोष बिन्दु प्रभावित है जो तत्पश्चात् भर जाता है और फल की क्वालिटी को सारतः प्रभावित नहीं करता। घब्बा प्रभावित फल के कुल क्षेत्र के 10 प्रतिशत से अधिक नहीं होगा और किसी पैकेज/आधान में ऐसे प्रभावित फलों की संख्या, फलों की संख्या के 10 प्रतिशत से अधिक नहीं होगी।

(2) 10 प्रतिशत फलों के लिए भार और परिपक्वता की बाबत 10 प्रतिशत की छूट, श्रेणीकरण में आकस्मिक त्रुटियों के लिए अनुज्ञात की जाएगी।

टिप्पणः—जब अति विशेष श्रेणी के लिए नियत न्यूनतम भार अधिक अनन्तास पैक किए जाते हैं, तब पैक करने वाले के विवेकानुसार पैक किए गए फलों का भार, श्रेणी अधिधान के साथ संलग्न किया जा सकेगा। (उदाहरणार्थ अति विशेष 1250 ग्राम)।

अनुसूची-III

(नियम 3 और 4 देखिए)

अनन्नास की, जो वाणिज्यिक बलन में क्वीन के रूप में ज्ञात है, क्वालिटी के श्रेणी अभिधान और परिभाषा

श्रेणी अभिधान	क्वालिटी की परिभाषा विशेष लक्षण (ग्रामों में न्यूनतम भार)	साधारण लक्षण
1	2	3
अति विशेष विशेष	2,000 1,500	अनन्नास बनस्पति बलन में अनन्नास गुच्छ-केशी के रूप में ज्ञात बनस्पति फल होंगे प्रत्येक फल :
अच्छा	1,000	(1) उसी किस्म के सामान्य आकार और रंग का होगा और समस्त पैक में युक्तियुक्त
साधारण	7500	रूप से एक समान होगा तथा विकृति मुक्त होगा। (2) परिपक्वता की ऐसी स्थिति में पहुंच गया होगा कि तत्पश्चात् परिवहन और विपणन के मामूली अनुक्रम में वह पक सकता है; (3) अच्छी टिकाऊ क्वालिटी का और ठोस होगा। (4) फफूंदी रोग, कीट अक्रांत और यांत्रिक क्षति या अंधड़ा या छिड़काव से होने वाले घब्बे से दोषों से मुक्त होगा। (5) के बंटल को, अधिक से अधिक 8 सें०मी० छोड़कर फल के पास हटा दिया जाएगा। (6) के शीर्ष को अधिक से अधिक 10 सें० मी० की लम्बाई तक काट कर छोटा कर दिया जाएगा।

छूट :—

(1) घब्बे से फफूंदी रोग, छिड़काव, कीटाणु नाशक जीवों, भोले, तूफान या यांत्रिक क्षति के कारण ऐसा घट्टा/दोष बिन्हु अभिप्रेत है जो तत्पश्चात् भर जाता है और फल की क्वालिटी को मारत प्रभावित नहीं करता। घब्बा प्रभावित फल के कुल क्षेत्र के 10 प्रतिशत से अधिक नहीं होगा और किसी पैकेज/आधान में ऐसे प्रभावित फलों की संख्या, फलों की सं० 10 प्रतिशत से अधिक नहीं होगी।

(2) 10 प्रतिशत फलों के लिए भार और परिपक्वता की बाबत 10 प्रतिशत की छूट, श्रेणीकरण में आकस्मिक त्रुटियों के लिए अनुज्ञात की जाएगी।

टिप्पण: जब अति विशेष श्रेणी के लिए नियत न्यूनतम भार अधिक अनन्नास पैक किए जाते हैं, तब पैक करने वाले के विवेकानुसार पैक किए फलों का भार, श्रेणी अभिधान के साथ संलग्न किया जा मकेगा (उदाहरणार्थ अति विशेष 2150 ग्राम)।

अनुसूची-IV

(नियम 3 और 4 देखिए)

अनन्नास की, जो वाणिज्यिक बलन में सीवीन के रूप में ज्ञात है, क्वालिटी के श्रेणी अभिधान और परिभाषा

श्रेणी अभिधान	क्वालिटी की परिभाषा विशेष लक्षण (ग्रामों में न्यूनतम भार)	साधारण लक्षण
1	2	3
अतिविशेष	2,000	अनन्नास बनस्पति बलन में अनन्नास गुच्छकेशी के रूप में ज्ञात बनस्पति फल होंगे।
विशेष	1,750	प्रत्येक फल : (1) उसी किस्म के सामान्य आकार और रंग का होगा और समस्त पैक में युक्तियुक्त रूप से एक समान होगा तथा विकृति मुक्त होगा।
अच्छा	1,250	
साधारण	1,005	(2) परिपक्वता की ऐसी स्थिति में पहुंच गया होगा कि तत्पश्चात् परिवहन और विपणन के मामूली अनुक्रम में वह पक सकता है। (3) अच्छी टिकाऊ क्वालिटी का और ठोस होगा। (4) फफूंदी रोग, कीट अक्रांत और यांत्रिक क्षति या अंधड़ा या छिड़काव से होने वाले घब्बे से दोषों से मुक्त होगा। (5) के बंटल को, अधिक से अधिक 8 सें०मी० छोड़कर फल के पास हटा दिया जाएगा। (6) के शीर्ष को अधिक से अधिक 10 सें० मी० की लम्बाई तक काटकर छोटा कर दिया जाएगा।

छूट:—

(1) घब्बे से फफूंदी रोग, छिड़काव, कीटाणु नाशक जीवों, भोले, तूफान या यांत्रिक क्षति के कारण ऐसा घब्बा/दोष बिन्हु अभिप्रेत है जो तत्पश्चात् भर जाता है और फल की क्वालिटी को मारत प्रभावित नहीं करता। घब्बा प्रभावित फल के कुल क्षेत्र के 10 प्रतिशत से अधिक नहीं होगा और किसी पैकेज/आधान में ऐसे प्रभावित फलों की संख्या, फलों की संख्या 10 प्रतिशत से अधिक नहीं होगी।

(2) 10 प्रतिशत फलों के लिए भार और परिपक्वता की बाबत 10 प्रतिशत की छूट, श्रेणीकरण में आकस्मिक त्रुटियों के लिए अनुज्ञात की जाएगी।

टिप्पण: जब अति विशेष श्रेणी के लिए नियत न्यूनतम भार अधिक अनन्नास पैक किए जाते हैं, तब पैक करने वाले के विवेकानुसार पैक किए गए फलों का भार, श्रेणी अभिधान के साथ संलग्न किया जा मकेगा (उदाहरणार्थ अति विशेष 2100 ग्राम)

अनुसूची-V

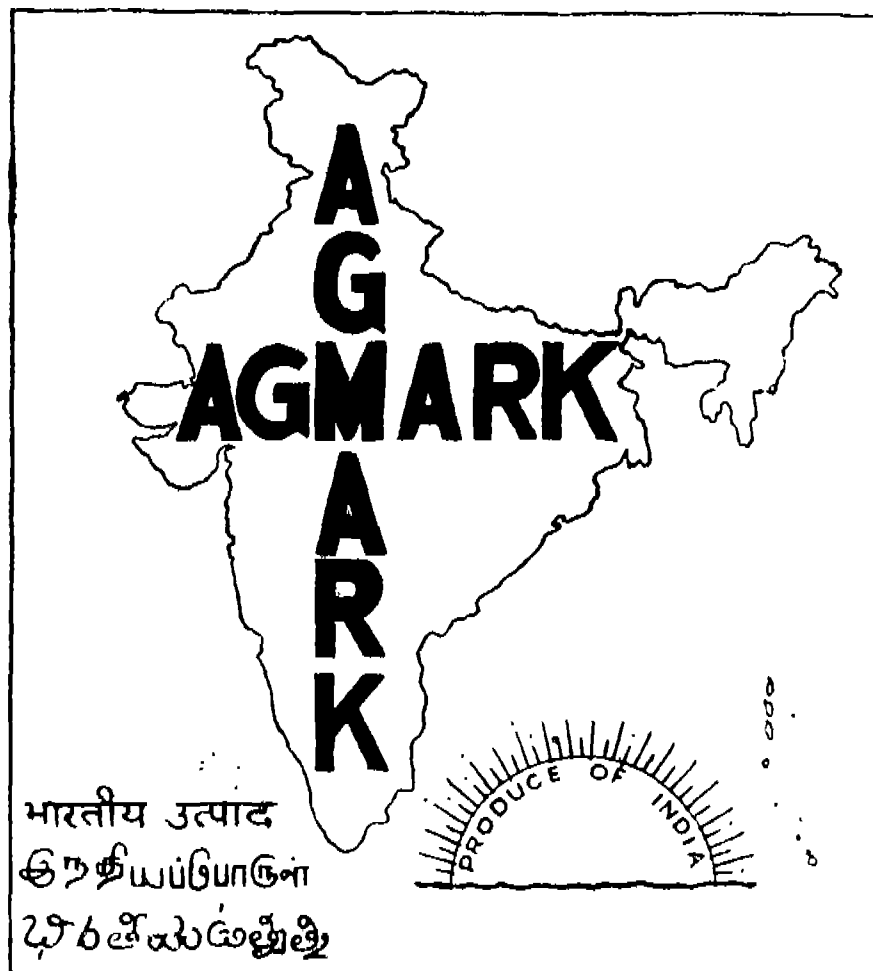
(नियम 3 और 4 देखिए)

अनन्नास की, जो बाणिज्यिक अन्न में देशी या नाहू (देशी) के रूप में ज्ञात है, क्वालिटी के श्रेणी अभिधान और परिभाषा

श्रेणी अभिधान	क्वालिटी की परिभाषा	साधारण लक्षण
	विशेष लक्षण (ग्रामों में स्वीकृत भार)	

1	2	3
अति विशेष	₹ 1,000	अनन्नास अनस्पति अन्न में अनन्नास गुच्छकेसी के रूप में ज्ञात अनस्पति फल होंगे।
विशेष	750	प्रत्येक फल - (1) उसी किस्म के सामान्य आकार और रंग का होगा और समस्त पैक में युक्तियुक्त रूप से एक-समान होगा तथा विकृति-मुक्त होगा ; (2) परिपक्वता की ऐसी स्थिति में पहुंच गया होगा कि तत्पश्चात् परिवहन और बिपणन के मामली अनुक्रम में वह पका सकता है, (3) अच्छी टिकाऊ क्वालिटी का और ठोस होगा।
अच्छा	505	

अनुसूची-VI
(नियम 5 देखिए)
श्रेणी अभिधान चिह्न



1

2

3

(4) फफूदी, रोग, कीट आकांत या यांत्रिक क्षति या छंछड़ या छिड़काव से होने वाले घम्मे या दोषों से मुक्त होगा ,

(5) के बंडल को, अधिक से अधिक 8 सें० ५० का फल के पास से हटा दिया जाएगा

(6) के शीर्ष की अधिक से अधिक 10 सें० मी० की लम्बाई तक काटकर छोटा कर दिया जाएगा।

छूट—

(1) घम्मे से फफूदी रोग, छिड़काव, कीटाणु नाशक जीवों, धोले, सूफान या यांत्रिक क्षति के कारण ऐसा घम्मा/बोब बिगड़ अभिप्रेत है जो तत्पश्चात् भर जाता है और कल की क्वालिटी को सख्त प्रभावित नहीं करता। घम्मा प्रभावित फल के कुल औंठ के 10 प्रतिशत से अधिक नहीं होगा और किसी पैकेज/आधान में ऐसे प्रभावित फलों की संख्या, फलों की संख्या 10 प्रतिशत से अधिक नहीं होगी।

(2) 10 प्रतिशत फलों के लिए भार और परिपक्वता की बाधत 10 प्रतिशत की छूट, श्रेणीकरण में आकस्मिक त्रुटियों के लिए अनुज्ञात की जाएगी।

टिप्पण जब अति विशेष श्रेणी के लिए नियत न्यूनतम भार से अधिक अनन्नास पैक किए जाते हैं, तब पैक करने वाले के विवेकानुसार पैक किए गए फलों का भार, श्रेणी अभिधान के साथ संतुलन किया जा सकेगा (उदाहरणार्थ अति विशेष 1250 ग्राम)।

MINISTRY OF RURAL DEVELOPMENT

New Delhi, the 4th June, 1982

S.O. 2244.—Whereas a draft of the Pineapples Grading and Marking Rules, 1981, was published as required by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937) at pages 2165 to 2174 of the Gazette of India, Part II, Section 3, Sub-section (ii), dated the 18th July, 1981 with the notification of the Government of India in the Ministry of Rural Reconstruction, No. S.O. 1950, dated the 11th June, 1981, inviting objections and suggestions from all persons likely to be affected thereby before the expiry of the period of forty five days from the date of publication of the said notification in the Official Gazette;

And whereas, the copies of the said Gazette were made available to the public on the 12th August, 1981;

And whereas, no objections or suggestions have been received from the public in respect of the said draft by the Central Government;

Now, therefore, in exercise of the powers conferred by section 3 of the said Act, the Central Government hereby makes the following rules, namely:—

RULES

1. Short title, application and commencement:

- (1) These rules may be called the Pineapples Grading and Marking Rules, 1982.
- (2) They shall apply to Pineapples produced in India.
- (3) They shall come into force on the date of their publication in the Official Gazette.

2. Definition:

In these rules, unless the context otherwise requires,—

- (1) "Agricultural Marketing Adviser" means the Agricultural Marketing Adviser to the Government of India;
- (2) "Schedule" means a Schedule appended to these rules;
- (3) "Authorised packer" means a person or a body of persons who has been granted a certificate of authorisation by the Agricultural Marketing Adviser for getting the commodity graded and Agmarked in accordance with the grade, standards and procedure prescribed under the rules;
- (4) "Certificate" means Certificate of Authorisation.

3. Grade designations:

The grade designation to indicate the quality of the Pineapples shall be as set out in column 1 of Schedule I to V

4. Definition of quality:

The quality indicated by the grade designations shall be as set out against each grade designation in columns 2 and 3 of Schedules I to V.

5. Grade designation mark :

The Grade designation mark shall consist of a label specifying the grade designation and bearing a design consisting of outline map of India with the word "AGMARK" and figure of the rising sun with the words "Produce of India" and "भारतीय उत्पाद" resembling the mark as set out in Schedule VI.

6. Method of marketing :—

- (1) The grade designation mark shall be securely affixed to each case/package in a manner approved by the Agricultural Marketing Adviser.
- (2) In addition to the grade designation, the following particulars shall also be clearly marked on the label :—
 - (a) Name of the variety;
 - (b) Net weight;
 - (c) Name of the packing station;
 - (d) Date of packing; and
 - (e) Any other particulars, as may be specified by the Agricultural Marketing Adviser, from time to time.
- (3) The authorised packer may, after obtaining the prior approval of the Agricultural marketing Adviser, mark his private trade mark on a container in a manner approved by the said officer, provided that the private trade mark does not represent a quality or grade of Pineapples different from that indicated by the grade designation mark affixed to the container in accordance with these rules.

7. Method of packing :

(1) Pineapples shall be packed in bamboo baskets (cylindrical, conical, rectangular, semi-spherical or wedge type) or wooden cases or crates or any other type of container and in such a manner as may be specified from time to time by the Agricultural Marketing Adviser.

(2) Packing material shall be clean and dry, free from fungus and insect attack and obnoxious smell.

(3) Each package shall contain Pineapples of the same variety and of the same grade designation and the top layer shall be representative of the entire contents of the package in respect of size, maturity, colour, shape, weight and freedom from visible defects :

(4) Each package shall be security closed and sealed in a manner prescribed by the Agricultural Marketing Adviser.

SCHEDULE-I

(See rules 3 and 4)

Grade designations and definition of the quality of pineapples commercially known as kew

Grade designation	Definition of quality	General Characteristics
	Special characteristics (Minimum weight in gms.)	
1	2	3
Extra Special	2,250	Pineapples shall be the fruits of plant botanically known as <i>Ananas Comosus</i> Each fruit shall:
Special	1,750	(1) have shape and colour normal to the variety and reasonably uniform throughout the pack and be free from malformation;
Good	1,250	(2) have reached a stage of maturity which will permit the subsequent completion of ripening in the ordinary course of transport and marketing;

1	2	3
		(3) have good keeping quality and be firm;
		(4) be free from blemish or defects due to fungus, disease, insect attack or mechanical injuries or hail-storm or spray;
		(5) have the stalk removed close to the fruit leaving not more than 8 cm ;
		(6) have the crown trimmed to a length not exceeding 10 cmre.

Tolerances: (1) Blemish: means a stain/defect/mark due to fungal disease, spray, insect, pest, hail-storm or mechanical injury that has been subsequently healed and not materially affecting the quality of the fruit. Blemish, shall not exceed 10% of the total area of the affected fruit and the number of such affected fruits shall not exceed 10% of the total number of fruits in a package/container;

(2) A tolerance of 10 per cent in respect of weight and maturity for 10 per cent of the fruits shall be allowed for accidental errors in grading.

Note : When pine-apples exceeding the minimum weight fixed for the Extra Special grade are packed, the weight of the fruits packed at the packer's discretion may be appended to the grade designation, (e.g. extra special 2,750 grams.).

SCHEDULE-II

(See rules 3 and 4)

Grade designations and definition of the quality of Pine-apples, commercially known as Mauritius

Grade designation	Definition of quality	General Characteristics
	Special characteristics (Minimum weight in gms)	
1	2	3
Extra Special	1,000	Pine-apples shall be the fruits of plant botanically known as <i>Ananas Comosus</i> .
Special	750	Each fruit shall;
Good	500	(1) have the shape and colour normal to the variety and reasonably uniform throughout the pack and be free from mal-formation ;
		(2) have reached a stage of maturity which will permit the subsequent completion of ripening in the ordinary course of transport and marketing;
		(3) have good keeping quality and be firm;
		(4) be free from blemish or defects due to fungus disease,

1	2	3
		insect, attack or mechanical injuries hail storm or spray ;
		(5) have the stalk removed close to the fruit leaving not more than 8 cm;
		(6) have the crown trimmed to a length not exceeding 10 cm.

Tolerances: (1) Blemish: means a stain/defect/mark due to fungal disease, spray, insect, pest, hail-storm or mechanical injury that has been subsequently healed and not materially affecting the quality of the fruit. Blemish shall not exceed 10% of the total area of the affected fruit and the number of such affected fruits shall not exceed 10% of the total number of fruits in a package/container;

(2) A tolerance of 10 per cent in respect of weight and maturity for 10 per cent of the fruits shall be allowed for accidental errors in grading.

Note: When Pine-apples exceeding the minimum weight fixed for the extra special grade are packed, the weight of the fruits packed at the packers discretion may be appended to the grade designation, (e.g., Extra Special 1,250 grams.).

SCHEDULE-III

(See rules 3 and 4)

Grade designations and definition of the quality of Pine-apples, commercially known as Queen.

Grade designation	Definition of quality	General Characteristics
	Special characteristics (Minimum weight in gms.)	
1	2	3
Extra Special	2,000	Pine-apples shall be the fruits of plant botanically known as <i>Ananas Comosus</i> . Each fruit shall:
Special	1,500	1. have shape and colour normal to the variety and reasonably uniform throughout the pack and be free from mal-formation;
Good	1,000	2. have reached a stage of maturity which will permit the subsequent completion of ripening in the ordinary course of transport and marketing;
General	750	3. have good keeping quality and be firm.
		4. be free from blemish or defect due to fungus, disease, insect attack or mechanical injuries or hail-storm or spray;

1	2	3	1	2	3
		5. have the stalk removed close to the fruit leaving not more than 8 cm;			6 be free from blemish or defects due to fungus, disease, insect-attack or mechanical injuries or hail-storm or spray;
		6 have the crown trimmed to a length not exceeding 10 cm;			

Tolerances: (1) Blemish: means a stain/defect/mark due to Fungal disease, spray, insect, pest, hail storm or mechanical injury that has been subsequently healed and not materially affecting the quality of the fruit. Blemish shall not exceed 10% of the total area of the affected fruit and the number of such affected fruits shall not exceed 10% of the total number of fruit in a package/container.

(2) A tolerance of 10 per cent in respect of weight and maturity for 10 per cent of the fruits shall be allowed for accidental errors in grading.

Note: When Pine-apples exceeding the minimum weight fixed for the Extra Special grade are packed, the weight of the fruit packed at the packers' discretion may be appended to the grade designation (i.e., Extra Special 2,100 grams).

SCHEDULE IV

(See rules 3 and 4)

Grade designations and definition of the quality of Pine-apples, commercially known as Ceylon

Grade designation	Definition of quality	General Characteristics
1	2	3
Extra Special	2,000	Pine-apples shall be the fruits of plant botanically known as <i>Ananas Comosus</i> . Each fruit/shall;
Special	1,750	
Good	1,250	1. have shape and colour normal to the variety and reasonably uniform throughout the pack and be free from mal-formation;
General	1,000	2. have reached a stage of maturity which will permit the subsequent completion of ripening in the ordinary course of transport and marketing;
		3. have good keeping quality and be firm;
		4. have the stalk removed close to the fruit leaving not more than 8 cm;
		5. have the crown trimmed to a length not exceeding 10 cm;

Tolerances: Blemish: means a stain/defect/mark due to Fungal disease, spray, insect, pest, hail-storm or mechanical injury that has been subsequently healed and not materially affecting the quality of the fruit. Blemish shall not exceed 10% of the total area of the affected fruit and the number of such affected fruits shall not exceed 10% of the total number of fruits in a package/container.

(2) A tolerance of 10 per cent in respect of weight and maturity shall be allowed for accidental errors in grading.

Note: When pine-apples exceeding the minimum weight fixed for the Extra Special grade are packed, the weight of the fruits packed at the packers' discretion may be appended to the grade designation, e.g., Extra Special 2,100 grams.

SCHEDULE V

(See rules 3 and 4)

Grade designations and definition of the quality of Pine-apples commercially known as Country or Nattu (Deshi),

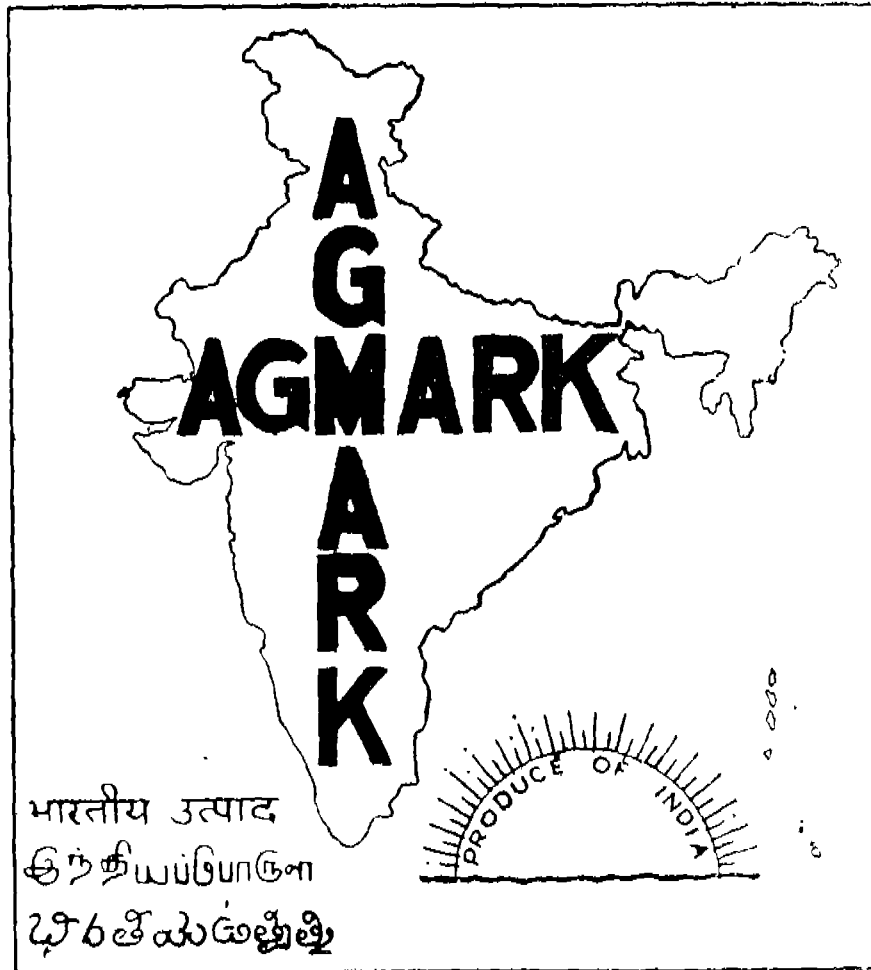
Grade designation	Definition of quality	General Characteristics
1	2	3
Extra Special	1,000	Pine-apples shall be the fruits of plant botanically known as <i>Ananas Comosus</i> .
Special	750	Each fruit shall:
Good	500	1. have shape and colour normal to the variety and reasonably uniform throughout the pack and be free from mal-formation;
		2. have reached a stage of maturity which will permit the subsequent completion of ripening in the ordinary course of transport and marketing;
		3. have good keeping quality and be firm;
		4. be free from blemish or defects due to fungus, disease, insect-attack or mechanical injuries, or hail-storm or spray;
		5. have the stalk removed close to the fruit leaving not more than 8 cm;
		6. have the crown trimmed to a length not exceeding 10 cm.

Tolerances : (1) **Blemish :** means a stain/defect/mark due to Fungal disease, spray, insect, pest, hail storm or mechanical injury that has been subsequently healed and not materially affecting the quality of the fruit. Blemish shall not exceed 10% of the total area of the affected fruit and the number of such affected fruits shall not exceed 10% of the total number of fruits in a package/container.

(2) A tolerance of 10 per cent in respect of weight and maturity for 10 per cent of the fruits shall be allowed for accidental errors in grading.

Note : When pine-apples exceeding the minimum weight fixed for the Extra Special grade a.e packed, the weight of the fruits packed at the packers discretion may be appended to the grade designation, (e.g. extra Special, 1250 gram).

SCHEDULE VI
(See rule 5)
Grade designation mark



[No. F. 10-4/80-AM]

D. MEHTA, Director (Marketing)

सिंचाई मंत्रालय

नई दिल्ली 26 मई, 1982

क्र.आ. 2245—तुंगभद्रा बोर्ड के गठन में संबंधित भवपूर्ण सिंचाई और विद्युत मंत्रालय की (समय-समय पर यथा संशोधित) अधिसूचना सं. डी.डब्ल्यू.आर.-1(4) दिनांक 10 मार्च, 1955 में निम्नलिखित और संशोधन किया जाता है, अर्थात्—

पैरा-1 में सदस्यगण की वर्तमान प्रविष्टि के अन्तर्गत अर्थात् "अपर सचिव, कर्नाटक सरकार, लोक निर्माण तथा विद्युत (सिंचाई) विभाग" के स्थान पर निम्नलिखित प्रविष्टि प्रतिस्थापित की जाएगी—

"विशेष सचिव, कर्नाटक सरकार, लोक निर्माण तथा विद्युत विभाग (सिंचाई)"

[सं. 19/4/76-डी.डब्ल्यू.आर./परि०-चार/परि०-अं]
ए०के० अरीर, अवर सचिव

MINISTRY OF IRRIGATION

New Delhi, the 26th May, 1982

S.O. 2245.—The following further amendment is made in the erstwhile Ministry of Irrigation & Power's Notification No. DW. IV-4(9) dated the 10th March, 1955 (as amended from time to time) relating to the constitution of the Tungabhadra Board, namely :—

For the existing entry under "Members" in para 1 namely "Additional Secretary to Government of Karnataka, Public Works & Electricity (Irrigation) Department" the following entry shall be substituted :—

"Special Secretary to Government of Karnataka, Public Works & Electricity Department (Irrigation)"

[No. 19/4/76-DWI/P.IV/P.II]

A. K. AHIR, Under Secy.

नौबहत और परिवर्तन मंत्रालय

(परिचय: पक्ष)

नई दिल्ली, 29 मई, 1982

का० आ० 2248—केंद्रीय सरकार डाक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 2) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मोरमुगाओ डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1965 का और संशोधन करना चाहती है। जैसा कि उक्त उपधारा में अपेक्षित है, प्रस्तावित संशोधनों की निम्नलिखित स्कीम उन सभी व्यक्तियों की जानकारी के लिए प्रकाशित की जा रही है, जिनके उसमें प्रभावित होने की सम्भावना है। इसके द्वारा सूचना दी जाती है कि उक्त प्राव्य पर हम अधिसूचना के राजपत्र में प्रकाशन की तारीख से आठ मास की अवधि की समाप्ति पर या उसके पश्चात् विचार किया जाएगा।

उपयुक्त अवधि से पूर्व उक्त प्राव्य की नाबत जो भी आशेष या सुझाव किसी व्यक्ति से प्राप्त होंगे, केंद्रीय सरकार उन पर विचार करेगी।

प्रारूप स्कीम

1. इस स्कीम का सक्षिप्त नाम मोरमुगाओ डाक कर्मकार (नियोजन का विनियमन) संशोधन स्कीम 1982 है।

2. मोरमुगाओ डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1965 में,

(1) खण्ड 6 के स्थान पर, निम्नलिखित खण्ड रखा जाएगा, अर्थात्—

“6 अधिकारियों और अन्य कर्मचारियों की सेवा के निबन्धन और शर्तें और नियुक्ति—

(1) बोर्ड, अधिकारियों और अन्य कर्मचारियों के बारे में सेवा के निबन्धन और शर्तें जिनके अन्तर्गत वेतन तथा भत्तों के निबन्धन और शर्तें भी हैं जो वह ठीक समझे, विहित कर सकेगा;

परन्तु बोर्ड, केंद्रीय सरकार के पूर्व अनुमोदन के बिना, ऐसा कोई पद सृजित नहीं करेगा जिसका अधिकतम वेतन गालह सौ पचास रुपय प्रतिमास और उससे अधिक हो।

(2) अधिकारियों और अन्य कर्मचारियों की नियुक्ति स्कीम में उसके लिए अन्यथा उपबन्धित के सिवाय अध्यक्ष द्वारा की जाएगी;

परन्तु अध्यक्ष, केंद्रीय सरकार के पूर्व अनुमोदन के बिना उन पदों पर नियुक्ति नहीं करेगा जिनका अधिकतम वेतन, भत्तों को छोड़कर सोलह सौ पचास रुपय और उससे अधिक हो।

परन्तु यह भी कि एक मास से अधिक की अवधि के लिए दुर्यो के कारण हुई किसी रिक्ति पर नियुक्ति के लिए, केंद्रीय सरकार का अनुमोदन आवश्यक नहीं होगा।”

(2) खण्ड 8 में,

(क) उपखण्ड (क), (ख), (ग) और (द) का लोप किया जाएगा।

(ख) उपखण्ड (ड) के स्थान पर निम्नलिखित उपखण्ड रखा जाएगा, अर्थात्—

“(2) खण्ड 6 के उपबन्ध के अधीन रहते हुए पदों के सृजन की शक्ति दी सकेगी।

(3) खण्ड 10 के खण्ड (1) में,

(क) म (क और ख) के स्थान पर निम्नलिखित म रखी जाएगी, अर्थात्—

“(क) राजस्तरों और पूर्वानुमानित अपेक्षाओं के वार्षिक पुनरावलोकन के पश्चात् केंद्रीय सरकार के पूर्वानुमान से विभिन्न

प्रवर्गों के अधीन कर्मकारों की संख्या नियत करना और किसी प्रवर्ग की राजस्तर में दो गई कर्मकारों की संख्या को, समय-समय पर यथावश्यक बनाना या घटाना;

(ख) किसी प्रवर्ग में कर्मकारों की किसी विनिर्दिष्ट संख्या को, किसी विनिर्दिष्ट अवधि के लिए अस्थायी राजस्त्रीकरण की मंजूरी देना।”

(4) खण्ड 17 के पश्चात् निम्नलिखित तथा खण्ड अन्त र्थात् किया जाएगा, अर्थात्—

17क. अदला-बदली (क) अध्यक्ष को शक्ति होगी कि वह किसी प्रवर्ग के अधिनिर्दिष्ट कर्मकारों के उस प्रवर्ग में जिसमें कर्मकारों की कमी है अधिनिर्दिष्ट करे किन्तु ऐसा इस शर्त के अधीन रहते हुए किया जाएगा कि ऐसे अधिनिर्दिष्ट से पिछली सेवा की मजदूरी में कमी या प्रभुविधा में हानि नहीं होगी।

टिप्पण पक्ष स्कीम के इस प्रवर्ग में जिसमें कमी है, मजदूरी या प्रभुविधा कम है ता स्थानान्तरण अपेक्षा के आधार पर किया जाएगा अर्थात् कनिष्ठतम व्यक्ति का स्थानान्तरित किया जाएगा और उसके द्वारा उपभोग की जा रही मजदूरी और प्रभुविधाओं की उसके लिए वैयक्तिक ममल कर संरक्षित किया जाएगा।

(ख) अध्यक्ष को यह भी शक्ति होगी कि वह मोरमुगाओ पत्तन न्यास के अधिनिर्दिष्ट कर्मकारों को उस प्रवर्ग में अधिनिर्दिष्ट करे जिसमें कर्मकारों की कमी है किन्तु ऐसा इस शर्त के अधीन रहते हुए किया जाएगा कि ऐसे अधिनिर्दिष्ट से पिछली सेवा की मजदूरी में कमी या प्रभुविधा में हानि नहीं होगी।

(5) खण्ड 18 में,

(i) “बोर्ड” शब्द के स्थान पर, जहाँ कहीं वह आता है, “अध्यक्ष” शब्द रखा जाएगा;

(ii) उपखण्ड (1) के पश्चात् निम्नलिखित उपखण्ड रखा जाएगा, अर्थात्—

“(1) अध्यक्ष, प्रत्येक प्रवर्ग में अपक्षित कर्मकारों की संख्या का पुनर्वितरण करेगा और केंद्रीय सरकार के अनुमोदन से संख्या का समायोजन करने के लिए उपयुक्त कार्रवाई करेगा।”

(6) खण्ड 19 में,

(i) उपखण्ड (3) में शब्द “बोर्ड” के स्थान पर “अध्यक्ष” शब्द रखा जाएगा;

(ii) उपखण्ड (4) के स्थान पर, निम्नलिखित उपखण्ड रखा जाएगा, अर्थात्—

“(4) ऐसे किसी भी प्रवर्ग में, जिसमें डाक कर्मकार को पहले ही स्कीम के अधीन राजस्त्रीकृत किया जा चुका हो, कोई भी नई शर्तें चाहे वह अस्थायी तौर पर हो या स्थायी तौर पर, स्थानीय रोजगार कार्यालय में राजस्त्रीकृत कर्मकारों में से की जाएगी। किन्तु यदि मोरमुगाओ पत्तन न्यास द्वारा नियोजित कर्मकारों के के किसी प्रवर्ग में अधिनिर्दिष्ट कर्मकार हैं तो ऐसे अधिनिर्दिष्ट कर्मकारों को इस स्कीम के अधीन स्थानान्तरित और राजस्त्रीकृत किया जाएगा। स्थानान्तरण के पश्चात् यदि अध्यापका किए जाने के दिन रोजगार कार्यालय के राजस्टरगत उपयुक्त व्यक्तियों की संख्या से अधिक व्यक्तियों की आवश्यकता हो ता राजगार कार्यालय के राजस्टरगत उपयुक्त व्यक्तियों को से लेने के पश्चात् सीधी र्सी की जा सकेगी।”

(7) खण्ड 35 के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्—

“35 आयातक शक्ति जहाँ कोई आरक्षित पूर्वगत कर्मकार कार्य के लिए उपस्थित है और किसी कारणवश, वह कार्य जिसके

लिए वह उपस्थित भूमा है आरम्भ न हो सके या आरो न चल सक तो वह पूर्ण काम कर मजदूरी का हकदार होगा, किन्तु इस शर्त के अधीन रहते हुए कि वह पूरी पारी में उपस्थित रहे और दिया जाने वाला वैकल्पिक नियोजन स्वीकार करे।”

(8) खण्ड 36 के लिए निम्नलिखित रखा जाएगा अर्थात् —

“36 छुट्टियाँ — प्रत्येक कर्मकार ऐसी शर्त पर छोटें द्वारा विहित की जाए, एक वर्ष में 11 दिन के सैथेनतिक अवकाश का हकदार होगा, जिसमें छोटें द्वारा वन्द अवकाश दिनों के रूप में घोषित दिन भी होंगे जो 7 में अधिक नहीं होंगे। इस खण्ड के अधीन किया गया कोई संशोधन खण्ड 32 के अधीन संगणित संशोध के अधिनियम होगा।”

(9) खण्ड 15 में, उपखण्ड (3) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् —

“(3) अस अधिकारी, उपखण्ड (1) या (2) के अधीन किसी भी मामले पर विचार करेगा और यदि आवश्यक अवस्था के पश्चात् तथा उस कर्मकार को सुनवाई का व्यक्तिगत अवसर देने के पश्चात् उसका यह समाधान हो जाए कि रजिस्ट्रीकृत डाक कर्मकार तथा उपर्युक्त किसी विधिवर्ण आदेश का पालन करने में असमर्थ रहा है, तो वह आदेश पारित करेगा कि उस रजिस्ट्रीकृत डाक कर्मकार को खण्ड 44 के अधीन उत्तरी अवधि के लिए संदाय नहीं किया जाएगा जितनी अस अधिकारी उचित समझे।”

(10) खण्ड 46 में,

(i) उपखण्ड(ii) (ख) में, “बोर्ड” शब्द के स्थान पर जहाँ कहीं वह आता है, “अध्यक्ष” शब्द रखा जाएगा।

(ii) उपखण्ड (5) में मद (ग) के पश्चात् निम्नलिखित मद रखी जाएगी अर्थात्:—(गफ) उसके वेतन में कटौती करेगा और/या उसे निम्नतर प्रवर्ग में प्रत्यास्थित कर देगा”।

[फा०सं०एल डी जी/36/81-एल IV]

बी० मकारनिगम, उप मन्त्रि

MINISTRY OF SHIPPING & TRANSPORT

(Transport Wing)

New Delhi, the 29th May, 1982

S.O. 2246.—The following draft of a scheme further to amend the Mormugao Dock Workers (Regulation of Employment) Scheme, 1965 which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), is hereby published as required by the said sub-section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the expiry of a period of two months from the date of publication of this notification in the Official Gazette;

Any objections or suggestions which may be received from any person with respect to said draft before the aforesaid period will be taken into consideration by the Central Government.

DRAFT SCHEME

1. This scheme may be called the Mormugao Dock Workers (Regulations of Employment) Amendment Scheme, 1982,

2. In the Mormugao Dock Workers (Regulation of Employment) Scheme, 1965,

(1) for clause 6, the following clause shall be substituted, namely:—

“6. Terms and conditions of service and appointment of officers and other staff.

(1) The Board may prescribe the terms & conditions of service including those of salaries and allowances, as it may deem fit, in respect of officers and other members of staff :

Provided that no post the maximum salary of which exclusive of allowances is rupees one thousand six hundred and fifty and above per mensem shall be created by the Board except with the previous approval of the Central Government.

(2) The appointment of officers and other members of staff shall be made by the Chairman except as otherwise provided for elsewhere in the Scheme :

Provide that no appointment to posts the maximum salary of which exclusive of allowances is rupees one thousand six hundred and fifty and above per mensem shall be made by the Chairman except with the previous approval of the Central Government :

Provided further that the approval of the Central Government shall not be necessary to any appointment in a leave vacancy of a duration of not more than one month.”

(2) in clause 8,

(a) sub-clause (a), (b), (c) and (k) shall be deleted,

(b) for sub-clause (1), the following sub-clause shall be substituted, namely:—

“(1) subject to the provision of clause 6, sanction to creation of posts;”

(3) in clause 10, in sub-clause (1),

(a) for items (a) and (b) the following item shall be substituted, namely:—

“(a) to fix the number of workers under various categories and to increase or decrease the number of workers in any category on the Register from time to time as may be necessary after a periodical review of Registers and anticipated requirements with the previous approval of the Central Government ;

(b) to sanction the temporary registration of a specified number of workers in any category for a specified period ;”

(4) after clause 17, the following new clause shall be inserted, namely:—

17A. Interchangeability.—(a) The Chairman shall have power to deploy surplus workers in a category, to the category wherein there is a shortage of workers, subject to the condition that such deployment will not lead to reduction in the wages or loss of benefit from the past service ;

Note:—If the category of Scheme in which there is a shortage carries lower wage of benefit, transfer will be made on the basis of seniority, junior most person being transferred and the wages and benefits being enjoyed by them protected as personal to them.

(b) The Chairman shall also have the power to deploy any surplus worker employed under the Mormugao Port Trust in a category in which there is a shortage subject to the condition that deployment will not lead to reduction in the wages or loss of benefit from past service ;

(5) in clause 18,

(i) for the word “Board” wherever it occurs, the word “Chairman” shall be substituted.

(ii) after sub clause (1) the following sub-clause shall be inserted, namely:—

“(1A) The Chairman shall periodically review the number of workers required in each category and

shall take suitable action to adjust number with the approval of the Central Government."

(6) in clause 19,

(i) in sub-clause (3) for the word "Board", the word "Chairman" shall be substituted;

(ii) for sub-clause (4) the following sub-clause shall be substituted namely:—

"(4) Any fresh recruitment, whether on a temporary or permanent basis, in any category in which dock workers have already been registered under the Scheme shall be done from amongst the workers registered with the local Employment Exchange. If, however, there is a surplus in any category of workers employed by the Mormugao Port Trust, such surplus workers may be transferred and registered under this Scheme. After the transfer, if the requirement exceeds the number of suitable man available on the register of the Employment Exchange on the day of the requisition, direct recruitment may be made after absorbing suitable man from the Employment Exchange Register."

(7) for clauses 35, the following shall be substituted namely:—

"35 Disappointment Money.—Where a worker in the reserve pool presents himself for work and for any reason the work for which he has attended cannot commence or proceed, he shall be entitled to full time rate wages, subject to the condition that he

is available throughout the shift and accepts alternative employment if provided."

(8) for clause 36, the following shall be substituted namely:—

"36. Holidays.—Each worker shall be entitled in a year to 11 holidays with pay at such rate, as may be prescribed by the Board including all such days which shall not exceed 7 in a year as are declared by the Board as closed holidays. Any payment under this clause shall be exclusive of payment calculated under clause 32.

(9) in clause 45, for sub-clause (3), the following shall be substituted, namely:—

"(3) The Labour Officer shall consider any matter under sub-clause (1) or (2) and if, after preliminary investigation and after giving reasonable opportunity to the worker of being heard, he is satisfied that the registered dock worker has failed to comply with a lawful order as aforesaid, pass in order that the registered dock worker shall not be paid under clause 44 for such period as Labour Officer thinks fit."

(10) In clause 46;

(i) in sub-clause (i)(b), for the word 'Board' wherever it occurs, the word 'Chairman' shall be substituted.

(ii) in sub-clause (5), after item (c), the following shall be substituted, namely:—

"(ca) effect reduction in his pay and/or revert him to lower category."

[No. F. LDG/36/81-IV]
V. SANKARAJINGAM, Dy. Secy.

संस्कृत विभाग

(भारतीय पुरातत्व सर्वेक्षण)

नई दिल्ली, 9 जून, 1982

(पुरातत्व)

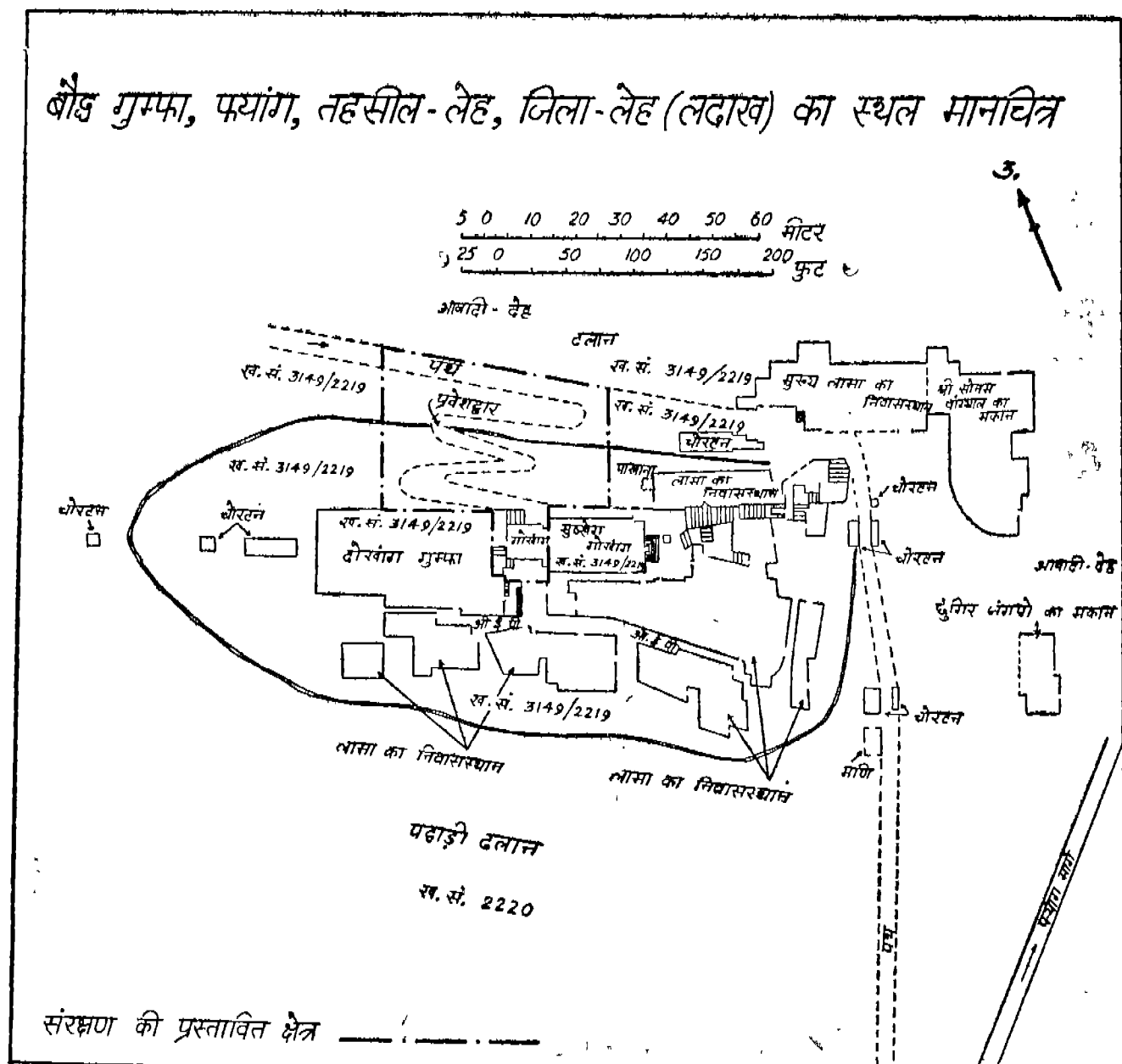
क्र.० आ० 2247 —केन्द्रीय सरकार की यह राय है कि इससे उपायद्ध अनुसूची में विनिर्दिष्ट प्राचीन स्मारक राष्ट्रीय महत्व का है, अतः केन्द्रीय सरकार प्राचीन स्मारक तथा पुरातत्वाय स्थल और अवशेष अधिनियम 1958 (1958 का 24) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त पुरातत्व स्मारक को राष्ट्रीय महत्व का घोषित करने के अपने आशय की सूचना देती है;

उक्त प्राचीन स्मारक से भित्तबद्ध किसी व्यक्ति द्वारा हम अधिसूचना के राजपत्र में प्रकाशन की तारीख से दो मास की अवधि के भीतर की गई आपत्ति पर केन्द्रीय सरकार द्वारा विचार किया जाएगा।

अनुसूची

राज्य	जिला	सहस्रील	परिक्षेत्र	स्मारक का नाम	संरक्षण के अधीन सम्मिलित किया जाने वाला राजस्व
1	2	3	4	5	6
जम्मू-कश्मीर	पेट (लद्दाख)	लेह (लद्दाख)	क्यांग	सर्वेक्षण प्लॉट सं० 3149, 2219 के भाग में महाविष्ट पार्श्वस्थ क्षेत्र के साथ बौद्ध गुफा, जैसा कि गुन प्रस्तुत स्थल रेखांक में दर्शाया गया है।	सर्वेक्षण प्लॉट सं० 3149, 2219 का भाग जैसा कि पुनः प्रस्तुत स्थल रेखांक में दर्शाया गया है।
प्लॉट संख्या		क्षेत्र सीमाएं		स्थापित	टिप्पणी
7		8		9	10
0 11 हेक्टेयर		उत्तर — सर्वेक्षण प्लॉट सं० 3149, 2219 का शेष भाग पूर्व — सर्वेक्षण प्लॉट सं० 3149, 2219 का शेष भाग दक्षिण — सर्वेक्षण प्लॉट सं० 3149, 2219 का शेष भाग पश्चिम — सर्वेक्षण प्लॉट सं० 3149, 2219 का शेष भाग		प्राइवेट	ब्लॉक अगले पेज में है

बौद्ध गुम्फा, फयांग, तहसील-लेह, जिला-लेह (लद्दाख) का स्थल मानचित्र



(सं. 2/28/80-मा०)

DEPARTMENT OF CULTURE ARCHAEOLOGICAL SURVEY OF INDIA

New Delhi, the 9th June, 1982

(ARCHAEOLOGY)

S.O. 2247.—Whereas the Central Government is of opinion that the ancient monument specified in the Schedule annexed hereto is of national importance;

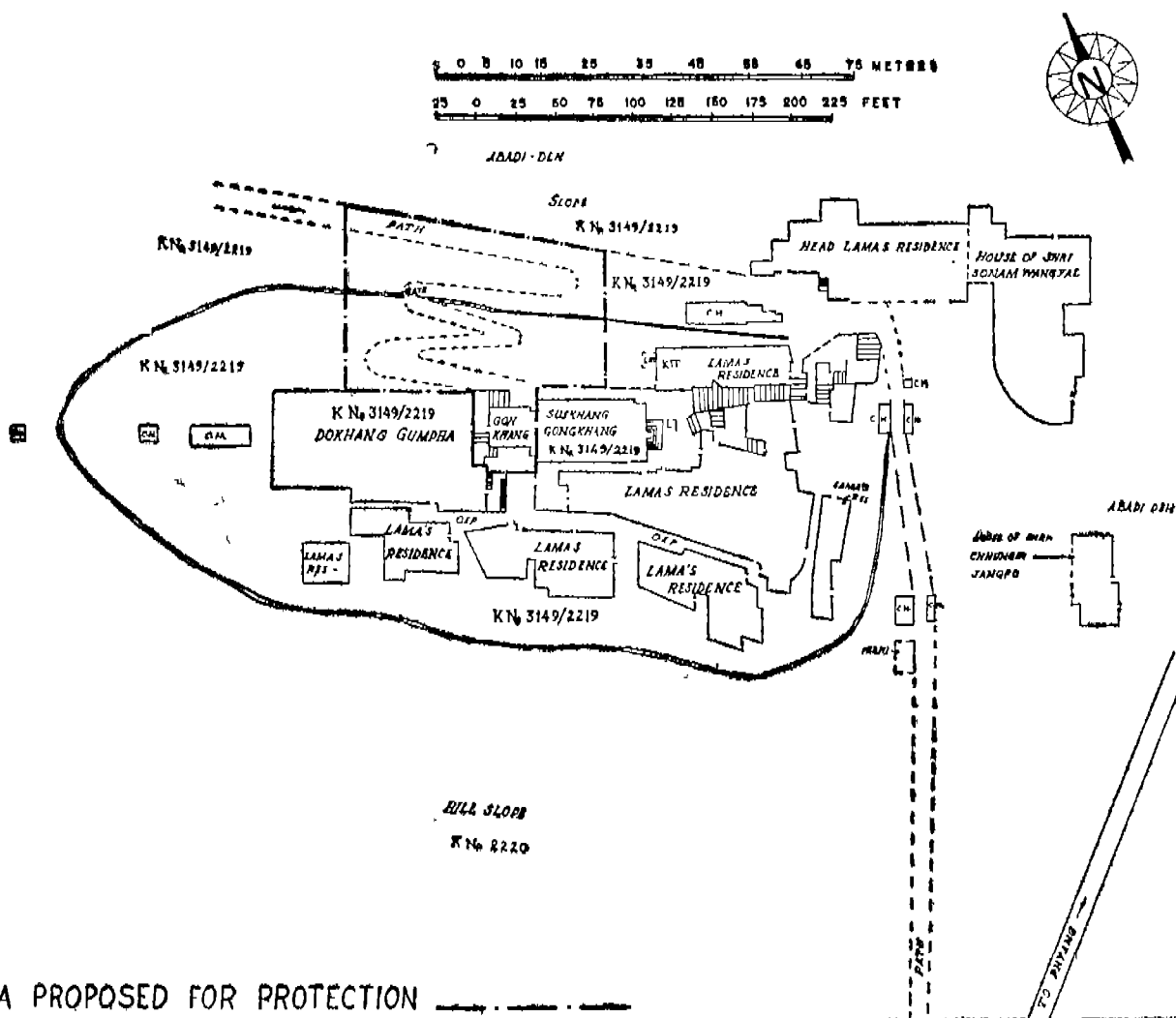
Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives two months' notice of its intention to declare the said ancient monument to be of national importance.

Any objection which may be received within a period of two months from the date of publication of this notification in the Official Gazette by any person interested in the said ancient monument will be considered by the Central Government.

SCHEDULE

State	District	Tehsil	Locality	Name of monument	Revenue plot numbers to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10
Jammu and Kashmir	Leh (Ladakh)	Leh (Ladakh)	Phyang	Buddhist Gumpa together with adjacent area comprised in part of survey plot No. 3149/2219 as shown in site plan reproduced below.	Part of survey plot No. 3149/2219 as shown in site plan reproduced below.	0.11 Hectares	North.—Remaining portion of survey plot No. 3149/2219 East.—Remaining portion of survey plot No. 3149/2219 South :—Remaining portion of survey plot No. 3149/2219 West :—Remaining portion of survey plot No. 3149/2219	Private	—

SITE PLAN OF BUDDHIST GUMPHA AT PHYANG, TEHSIL-LEH,
DISTT.-LEH (LADAKH)



(पुरातत्व)

1. अ. 2248.—केन्द्रीय सरकार ने भारत के राजपत्र भाग 3, उप खंड (ii) तारीख 28 नवम्बर 1981 में प्रकाशित भारत सरकार के संस्कृति विभाग (भारतीय पुरातत्व विभाग) की अधिसूचना सं. 3259 तारीख 5 नवम्बर 1981 द्वारा उक्त अधिसूचना की धातुसूची में विनिर्दिष्ट उक्त प्राचीन स्मारक का राष्ट्रीय महत्त्व का प्राप्ति पत्र के पत्र प्रकाश की गयी थी सूचना का श्री और प्राचीन स्मारक तथा पुरातत्व विभाग और अधिनियम 1959 (1959 का 4) के प्रांगण का उपाय (1) में तथा अधिनियम उक्त अधिसूचना की एक प्रति उक्त प्राप्ति पत्र में प्रकाशित किया गया।

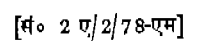
और किमा व्यक्ति से कोई आक्षेप प्राप्त नहीं हुआ है।

और राजपत्र अधिसूचना की प्राप्ति जनता को 29 जनवरी 1982 को उपलब्ध करा दी गई थी,

अतः केन्द्रीय सरकार उक्त अधिनियम का धारा 5 का उपधारा (3) द्वारा उक्त शक्तियों का प्रयोग करते हुए, नीचे दी गई धातुसूची में विनिर्दिष्ट उक्त प्राचीन स्मारक का राष्ट्रीय महत्त्व का प्राप्ति पत्र जारी है।

अनुसूची

राज्य	जिला	तहसील	अवस्थान	स्मारक का नाम	संरक्षण के अधीन सम्मिलित किए जाने वाले सर्वेक्षण प्लॉट सं.
1	2	3	4	5	6
केरल	त्रिपुर	कोदगल्लर	तिरुवधिकुलम	शिव मंदिर कामप्लेक्स के साथ सर्वेक्षण प्लॉट सं. 23/1 और सर्वेक्षण प्लॉट सं. 23/2 के भाग में समाविष्ट पार्श्वस्थ क्षेत्र, जैसा कि नीचे दिए गए स्थल रेखा में दर्शाया गया है।	सर्वेक्षण प्लॉट सं. 23/1 और सर्वेक्षण प्लॉट सं. 24/2 का भाग जैसा कि नीचे दिए गए स्थल में दर्शाया गया है।
भारत			मीमांसा	स्वामि	निष्पत्ती
10319 रेक्टर		उत्तर —	सर्वेक्षण प्लॉट सं. 15 और सर्वेक्षण प्लॉट सं. 14 का भाग।	पौराणिक	1 मंदिर कोषीन देवास्वामि बोर्ड के प्रबंध के अधीन है।
		पूर्व —	सर्वेक्षण प्लॉट सं. 9 और सर्वेक्षण प्लॉट सं. 8, 14 और 23/2 के भाग।		2 शिव मंदिर की दीवारों पर मिली चित्र पत्रों से ही संरक्षित है।
		दक्षिण —	सर्वेक्षण प्लॉट सं. 21/2, 24/3, 24/4 और सर्वेक्षण प्लॉट सं. 8 और 25 के भाग।		
		पश्चिम —	सर्वेक्षण प्लॉट सं. 19, 19, 22 और सर्वेक्षण प्लॉट सं. 25 का भाग।		



ARCHAEOLOGY

S.O. 2248.—Whereas by the notification of the Government of India in the Department of Culture (Archaeological Survey of India) S.O. No. 3259, dated the 5th November, 1981, published in the Gazette of India, Part II Section 3, Sub-section (ii) dated the 28th November, 1981, the Central Government gave two months' notice of its intention to declare the said ancient monument, specified in the Schedule to the said notification to be of national importance, and a copy of the said notification was affixed in a conspicuous place near the said ancient monument as required by sub-section (1) of section (4) of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958);

And whereas no objection has been received from any person;

And whereas the copies of the Gazette notification were made available to the public on the 29th January 1982;

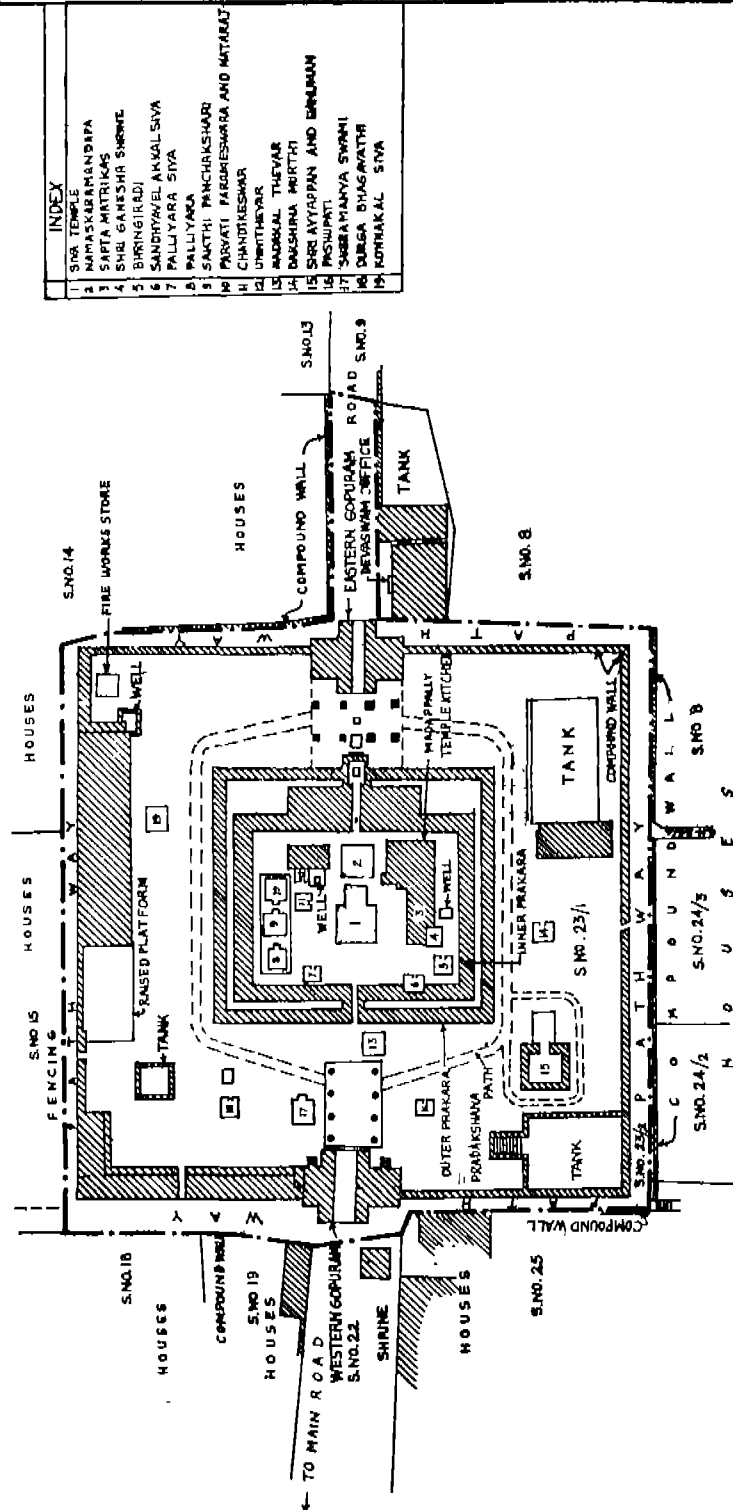
Now, therefore, in exercise of the powers conferred by sub-section (3) of section 4 of the said Act, the Central Government hereby declares the said ancient monument specified in the Schedule below to be of national importance.

SCHEDULE

State	District	Tehsil	Locality	Name of ancient monument	Revenue plot numbers to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10
Kerala	Trichur	Kodangallur	Tiruvanchikulam	Siva temple complex together with adjacent area comprised in survey plot No. 23/1 and a portion of survey plot No. 23/2 as shown in the site plan reproduced below	Survey plot No. 23/1 and a portion of survey plot No. 23/2 as shown in the site plan reproduced below	1.0319 Hectares	North.—Survey plot No. 15 and a portion of survey plot No. 14 East.—Survey plot No. 9 and portion of survey plot Nos. 8, 14 and 23/2 South.—Survey plot Nos. 24/2, 24/3, 24/4 and portions survey plot Nos. 8 and 25 West.—Survey plot Nos. 18, 19 and 22 a portion of survey plot No. 25.	Poramboke	Temple is under the management of Cochín Devaswom Board. 2. Mural paintings on the walls of Siva temple are already protected.

**SITE PLAN OF SIVA TEMPLE COMPLEX TIRUVANCHIKULAM
VILLAGE: METHALA(3RD)BIT, TALUK: KODUNGALLUR
DIST: TRICHUR, STATE: KERALA**

0 5 10 20 30 40 50 60 70 80 90 100 110 120
METRES
0 10 20 30 40 50 60 70 80 90 100 110 120
FEET



LIMITS OF PROTECTION

(पुरातत्व)

का० आ० 2249—केन्द्रीय सरकार ने भारत के राजपत्र, भाग 2, खंड 3, उपखंड (ii) तारीख 10 अक्टूबर, 1981 में प्रकाशित भारत सरकार के संस्कृति विभाग, भारतीय पुरातत्व सर्वेक्षण की अधिसूचना सं० का० आ० 2799 तारीख 26 मिनग्वर, 1981 द्वारा उक्त अधिसूचना की अनुसूची में विनिर्दिष्ट उक्त प्राचीन मंदिर को राष्ट्रीय महत्व का घोषित करने के अपने आशय की वी मास की सूचना दी थी और प्राचीन संस्मारक तथा पुरातत्वीय स्थल और अवशेष अधिनियम, 1958 (1958 का 24) की धारा 4 की उपधारा (1) में यथा अपेक्षित उक्त अधिसूचना की एक प्रति उक्त मंदिर के पास एक सहजदृश्य स्थान पर चिपका दी थी।

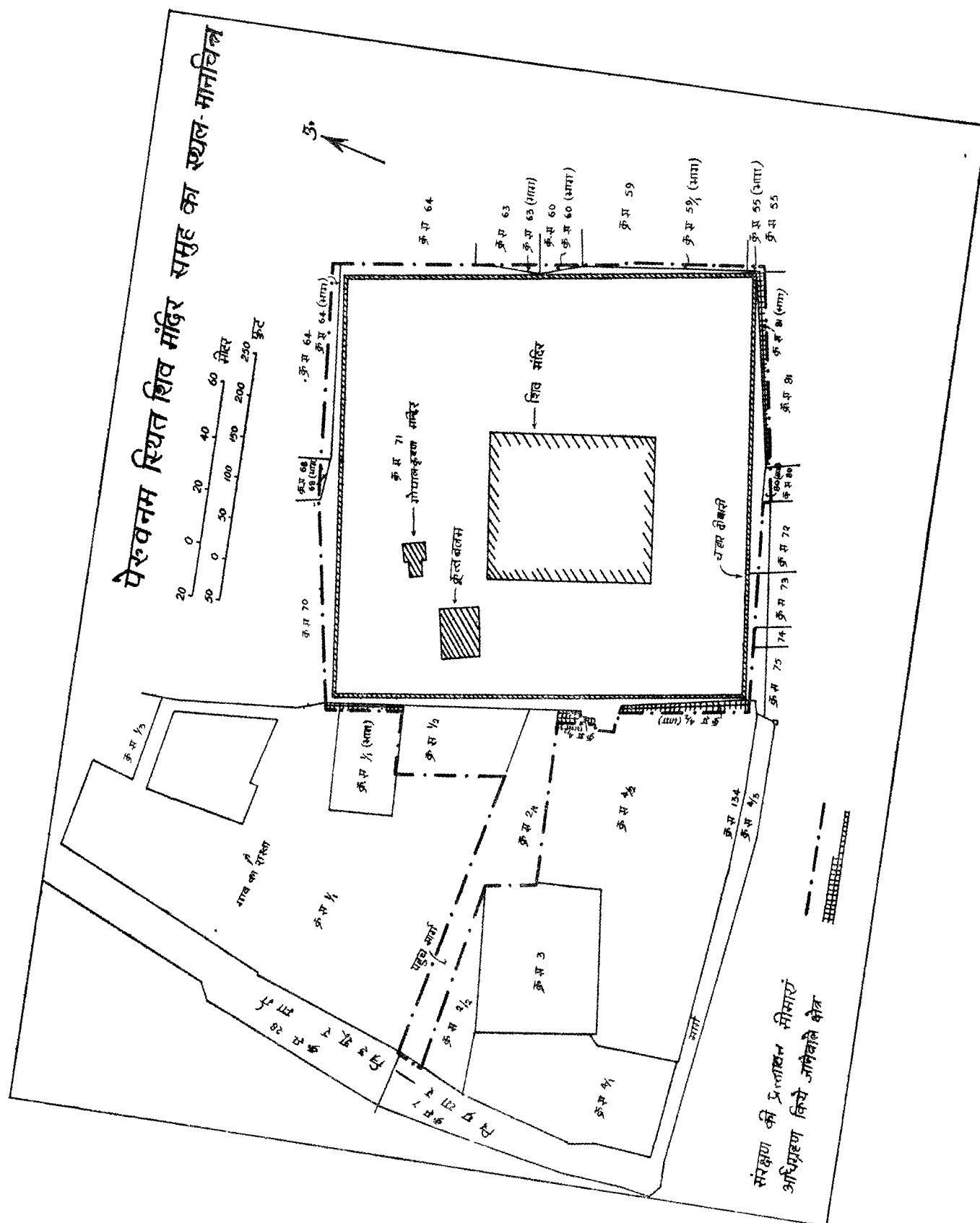
और उक्त राजपत्र जनता को 5 दिसम्बर, 1981 को उपलब्ध कर दिया गया था,

अतः केन्द्रीय सरकार ने कोचीन देवास्वम् बोर्ड, त्रिचूर तथा चेरपु पंचायत, ग्राम चेरपु से प्राप्त आक्षेपों पर विचार कर लिया है;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 4 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, नीचे इसमें उपायध अनुसूची में विनिर्दिष्ट उक्त मंदिर को राष्ट्रीय महत्व को घोषित करती है।

अनुसूची

राज्य	जिला	तहसील	परिक्षेत्र	संस्मारक का नाम	संरक्षण के अधीन सम्मिलित किया जाने वाला राजस्व प्लॉट सं०
1	2	3	4	5	6
केरल	त्रिचूर	त्रिचूर	उर्कम और चेरपू	शिव मंदिर कम्प्लेक्स, पेरुवणम के साथ लगे हुए उर्कम ग्राम के सर्वेक्षण प्लॉट सं० 71 और सर्वेक्षण प्लॉट सं० 55, 59/1, 60, 63, 64, 68 80, 81 का भाग और चेरपू ग्राम के सर्वेक्षण प्लॉट सं० 1/2, 2/1 और सर्वेक्षण प्लॉट सं० 1/1 और 4/2 के भाग में समाविष्ट क्षेत्र जैसा कि नाचे दिए गए स्थल रेखांक में दर्शाया गया है।	उर्कम ग्राम के सर्वेक्षण प्लॉट सं० 71 और सर्वेक्षण प्लॉट सं० 55, 59/1, 60, 63, 64, 68 80 81 के भाग और चेरपू ग्राम के सर्वेक्षण प्लॉट सं० 1/2, 2/1 और सर्वेक्षण प्लॉट सं० 1/1 और 4/2 का भाग, जैसा कि नाचे दिये गये स्थल रेखांक में दर्शाया गया है।
क्षेत्र	सीमार्ग	स्वामित्व	टिप्पण		
7	8	9	10		
03.06 19	उत्तर : ग्राम उर्कम का सर्वेक्षण प्लॉट सं० 70 और सर्वेक्षण प्लॉट सं 64 और 68 का शेष भाग और ग्राम चेरपू के सर्वेक्षण प्लॉट सं 1/1 का शेष भाग। पूर्व : ग्राम उर्कम के सर्वेक्षण प्लॉट सं० 55, 59, 60, 63 और 64 का शेष भाग। दक्षिण : ग्राम उर्कम के सर्वेक्षण प्लॉट सं 72, 73, 74, 75, 81 और सर्वेक्षण प्लॉट सं० 80 का शेष भाग और ग्राम चेरपू के प्लॉट सं० 4/2, 2/1 का शेष भाग। पश्चिम : ग्राम चेरपू के सर्वेक्षण प्लॉट सं० 3 और 17 (सड़क)	उर्कम ग्राम का सर्वेक्षण प्लॉट सं० 71, सर्वेक्षण प्लॉट सं० 59/1, 63, 64, 60 के भाग और चेरपू ग्राम के सर्वेक्षण प्लॉट सं० 1/2 का भाग . पेरुवणम देवास्वम् उर्कमग्राम के सर्वेक्षण प्लॉट सं० 55, 68, 80 का भाग और चेरपू ग्राम का सर्वेक्षण प्लॉट सं० 2/1; पोरबोक उर्कम ग्राम के सर्वेक्षण प्लॉट सं० 81 का भाग और चेरपू के ग्राम सर्वेक्षण प्लॉट सं० 1/1 और 4/2 निजी।	श्री कोइल की नीवानों पर के भित्ति चित्र और त्रेक मूर्तियां पहले से ही संरक्षण के अधीन हैं।		



(ARCHAEOLOGY)

S.O. 2249.—Whereas by a notification of the Government of India in the Department of Culture, Archaeological Survey of India S. O. No. 2799 dated the 26th September 1981, published in Part II, Section 3, Sub-section (ii) of the Gazette of India dated the 10th October, 1981, the Central Government gave two month's notice of its intention to declare the ancient temple specified in the Schedule to the said notification to be of national importance and a copy of the said notification was affixed in a conspicuous place near the said temple as required by sub-section (1) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958);

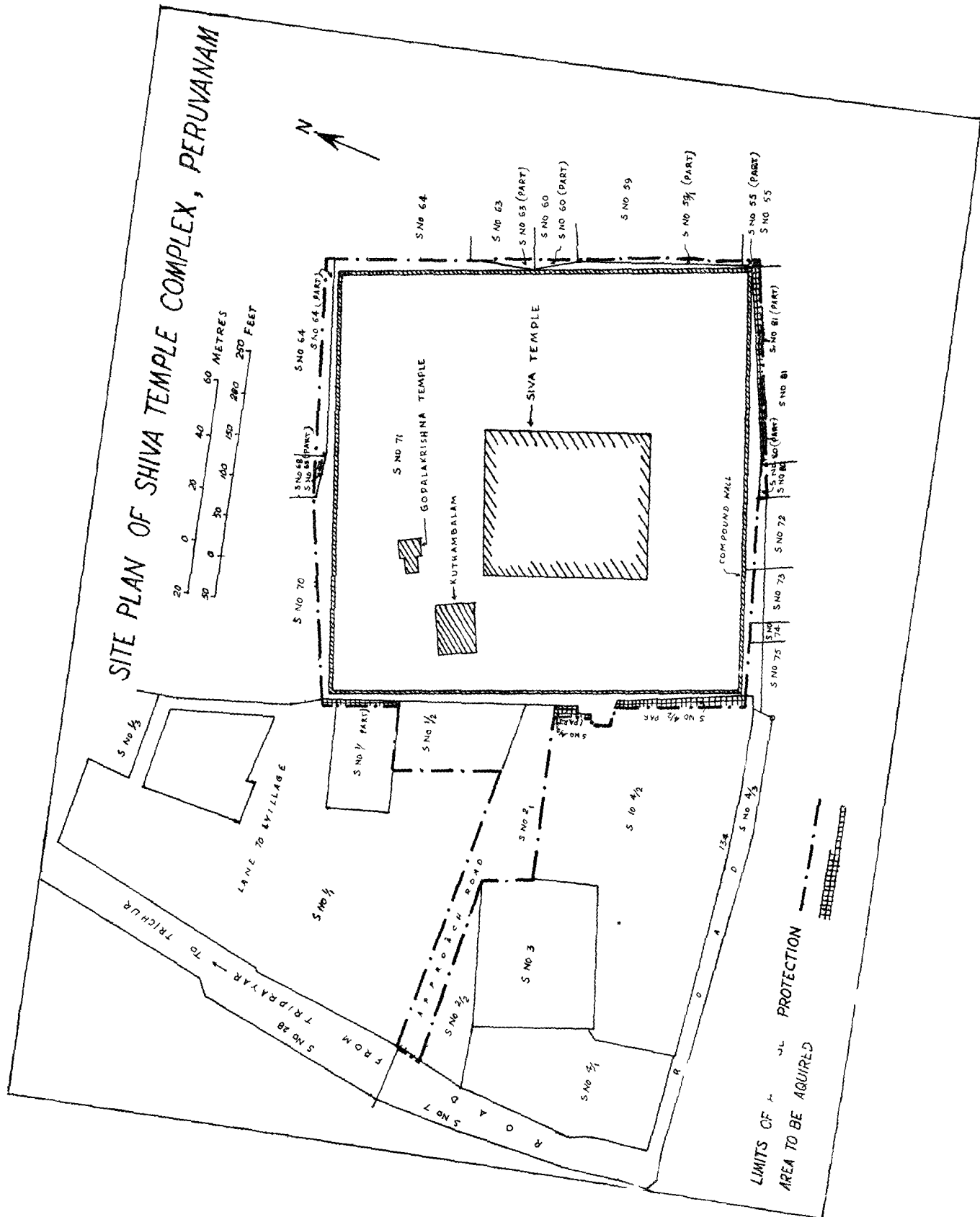
And, whereas, the said Gazette was made available to the public on the 5th December, 1981;

And whereas the objections received from the Cochin Devaswom Board, Trichur and the Cherpu Panchayat village Cherpu have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 4 of the said Act, the Central Government hereby declares the ancient temple specified in the Schedule annexed hereto to be of national importance.

SCHEDULE

State	District	Tehsil	Locality	Name of monument	Revenue plot numbers included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10
Kerala	Trichur	Trichur	Urakam and Cherpu	Siva temple complex Peruvanam together with adjacent area comprised in survey plot No. 71 and part of survey plot Nos. 55, 59/1, 60, 63, 64, 68, 80, 81 of village Urakam and survey plot Nos. 1/2, 2/1 and part of survey plot No. 1/1 and 4/2 of village. Cherpu as shown on the site plan reproduced below.	Survey plot No. 71 and part of survey plot Nos. 55, 59/1, 60, 63, 64, 68, 80, 81 of village Urakam and survey plot Nos. 1/2, 2/1 and part of survey plot Nos. 1/1 and 4/2 of village Cherpu as shown in the site plan reproduced below	3.0619 Hectares	<i>North</i> —Survey plot No. 70 and remaining portion of survey plot Nos. 64, 68 of village Urakam and remaining portion of survey plot No. 1/1 of village Cherpu <i>East</i> .—Remaining portion of survey plot Nos. 55, 59, 60, 63 and 64 of village Urakam <i>South</i> .—Survey plot No. 72, 73, 74, 75, 81 and remaining portion of survey plot No. 80 of village Urakam and remaining portion of survey plot Nos. 4/2, 2/1 of village Cherpu <i>West</i> .—Survey plot Nos. 3 and 17 (Road) of village Cherpu	Survey plot No. 71, parts of survey plot Nos. 59/1, 63, 64, 60 of village Urakam and part of survey plot No. 1/2 of village Cherpu; Peruvanam Dewaswom. Part of survey plot No. 55, 68, 80 of village Urakam and survey plot No. 2/1 of Cherpu village; Poramboke. Part of survey plot No. 81 of village Urakam and survey plot Nos. 1/1 and 4/2 of village Cherpu; Private	Mural paintings on the walls of the Sri-koils and bracket images are already under protection



(पुरातत्व)

क्रमांक 2250—केन्द्रीय सरकार ने, भारत सरकार के संस्कृति मन्त्रालय (भारतीय पुरातत्व सर्वेक्षण) की अधिसूचना सं क्रमांक 3306, तारीख 14 नवम्बर, 1981 द्वारा, जो भारत के राजपत्र भाग 2, खंड 3, उपखंड (ii) तारीख 5 दिसम्बर 1982 में पृष्ठ पर प्रकाशित की गई थी, नीचे अनुसूची में विनिर्दिष्ट प्राचीन पुरातत्वीय स्थल और अवशेषों को राष्ट्रीय महत्व का घोषित करने के अपने आशय की दो मास की सूचना दी थी, और उक्त अधिसूचना की एक प्रति, प्राचीन संस्मारक तथा पुरातत्वीय स्थल और अवशेष अधिनियम, 1958 (1958 का 24) की धारा 4 की उपधारा (1) की अपेक्षाानुसार उक्त प्राचीन स्थल के निकट सहजदृश्य स्थान पर बिपका दी गई थी ;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को 2 फरवरी, 1982 को उपलब्ध करा दी गई थीं ;

और केन्द्रीय सरकार को जनता से कोई आक्षेप प्राप्त नहीं हुए हैं ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 4 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इससे उपाखण्ड अनुसूची में विनिर्दिष्ट उक्त प्राचीन स्थल को राष्ट्रीय महत्व का घोषित करती है।

अनुसूची

राज्य	जिला	तहसील	परिक्षेत्र	स्थल का नाम	संरक्षण के अधीन सम्मिलित किए जाने वाले राजस्व प्लॉट सं
1	2	3	4	5	6
राजस्थान	उदयपुर	रेलमोगरा	गिरुंव (भगवानपुरा)	सर्वेक्षण प्लॉट सं० 938, 941, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073 और 1074 में समाविष्ट पुरातत्वीय स्थल और अवशेष	सर्वेक्षण प्लॉट सं० 938, 941, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073 और 1074
क्षेत्र	सीमाएं		स्वामित्व		टिप्पणी
7	8		9		10
10.71 हेक्टर	उत्तर : सर्वेक्षण प्लॉट सं० 939, 940 और सर्वेक्षण प्लॉट सं० 956 से होकर निकलने वाला गाड़ी पथ पूर्व : सर्वेक्षण प्लॉट सं० 937 और 1076 से होकर निकलने वाला गाड़ी पथ। दक्षिण : सर्वेक्षण प्लॉट सं० 1050, 1052, 1053, 1064 और 1075 पश्चिम : सर्वेक्षण प्लॉट सं 942 (कुर्मां), 943 (कुर्मां), 944, 948, 1026 और 1064		सर्वेक्षण प्लॉट सं० 938, 941, 1065, 1066, 1067, 1068, 1069, 1070, 1071 और 1072 ब्राह्मदेव स्वामित्व में। सर्वेक्षण प्लॉट सं० 1073 और 1074 सरकारी स्वामित्व में।		स्थल में कोई आधुनिक सन्निर्माण नहीं है।

[सं 2/1/प्रार जे/1/68 स्मा]

(ARCHAEOLOGY)

S.O. 2250.—Whereas by the notification of the Government of India, Department of Culture (Archaeological Survey of India) S.O. No. 3306, dated the 14th November, 1981 published in the Gazette of India, Part II, Section 3, sub-section (ii), dated the 5th December, 1981 at page 3783, the Central Government gave two months' notice of its intention to declare certain ancient archaeological site and remains specified in the Schedule below to be of national importance, and a copy of the said notification was affixed in a conspicuous place near the said ancient site, as required by sub-section (1) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958);

And whereas the copies of the said Gazette notification were made available to the public on the 2nd February, 1982;

And whereas no objections have been received from the public by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 4 of the said Act, the Central Government hereby declare the said ancient site specified in the Schedule annexed hereto to be of national importance.

SCHEDULE

State	District	Tehsil	Locality	Name of site	Revenue plot numbers included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10
Rajasthan	Udaipur	Rail Mogara	Gilund (Bhagwan pura))	Archaeological site and remains comprised in survey plot Nos. 938, 941, 1055, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073 and 1074.	Survey plot Nos. 938, 941, 1055, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073 and 1074	10.71 Hectares	North.—Survey plot Nos. 939, 940 and cart track (road) passing through survey plot No. 956. East.—Cart track (road) passing through survey plot Nos. 937 and 1076. South.—Survey plot Nos. 1050, 1052, 1053, 1064, and 1075. West.—Survey plot Nos. 942 (well), 943 (well), 944, 948, 1026 and 1064.	Survey plot Nos. 938, 941, 1065, 1066, 1067, 1069, 1070, 1071 and 1972: Privately owned Survey plot Nos. 1073 and 0174: Government owned	The site is free from any modern construction

[N.D. 2/1/RJ/1/68-M]

(पुरातत्व)

क्रा० ७१० 2251—केन्द्रीय सरकार की राय है कि इससे उपाय अनुसूची में विनिर्दिष्ट पुरातत्वीय स्थल और अवशेष राष्ट्रीय महत्व के हैं।

धन: केन्द्रीय सरकार, प्राचीन संस्मारक तथा पुरातत्वीय स्थल और अवशेष अधिनियम, 1958 (1958 का 24) की धारा 4 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, उक्त पुरातत्वीय स्थल और अवशेषों को राष्ट्रीय महत्व का घोषित करने के अपने आशय को दो मास की सूचना देती है।

केन्द्रीय सरकार, इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से दो मास की अवधि के भीतर उक्त पुरातत्वीय स्थल और अवशेष में हितबद्ध किसी भी व्यक्ति से प्राप्त किन्हीं अवशेष पर विचार करेगी।

अनुसूची

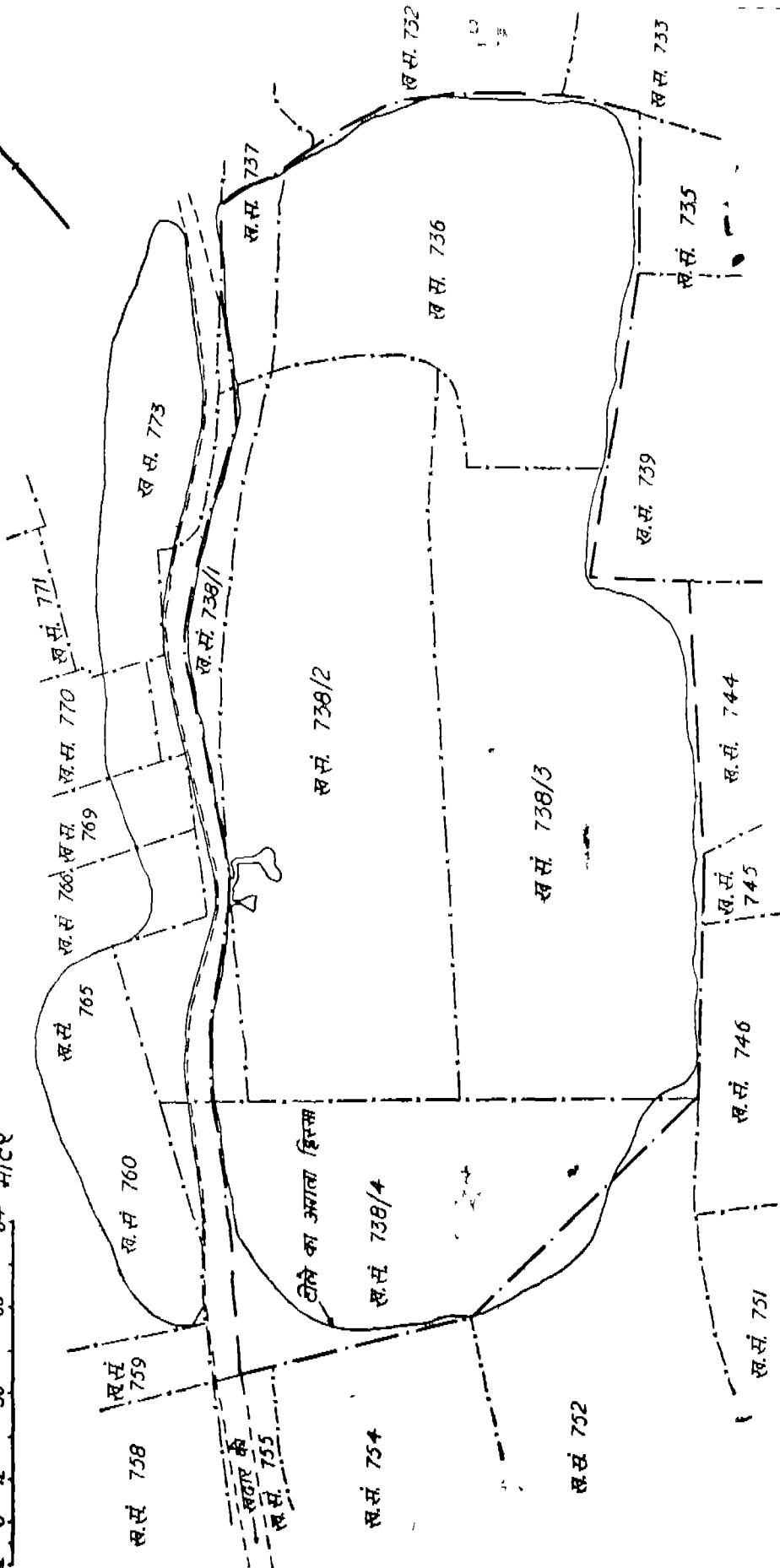
राज्य	जिला	तहसील	अवस्थान	संस्मारक का नाम	संरक्षण के अधीन सम्मिलित किए जाने वाले सर्वेक्षण प्लॉट सं.
1	2	3	4	5	6
उत्तर प्रदेश	गाजियाबाद	दादरी	गुलिस्तानपुर	सर्वेक्षण प्लॉट संख्यांक 736, 738/2, 738/3, सर्वेक्षण प्लॉट सं 737, 738/1 और 738/4 के भाग में समाविष्ट पुरातत्वीय स्थल और अवशेष, जैसा कि नीचे पुनः प्रस्तुत स्थल रेखांक में दर्शाया गया है।	सर्वेक्षण प्लॉट सं 736, 738/2, 738/3, सर्वेक्षण प्लॉट सं 737, 738/1 और 738/4 के भाग, जैसा कि नीचे पुनः प्रस्तुत स्थल रेखांक में दर्शाया गया है।
क्षेत्र	सीमाएं		स्वामित्व		टिप्पणी
7	8		9		10
4.2 हेक्टर	उत्तर: सर्वेक्षण प्लॉट सं 732, 733 और सर्वेक्षण प्लॉट सं 737 का शेष भाग।		सर्वेक्षण प्लॉट सं 737 और 738/4		—
	पूर्व: सर्वेक्षण प्लॉट सं 735, 739, 744 और 745		ग्राम समाज के स्वामित्व में है।		
	दक्षिण: सर्वेक्षण प्लॉट सं 746, 752, 754 और 755		और शेष भाग प्राईवेट स्वामित्व में है।		
	पश्चिम: सर्वेक्षण प्लॉट सं 738/1, 737, 773 और 738/4 के शेष भाग में सड़क				

[सं० 2/1/पू०पी०/5/75-स्वा०]

जिला गान्धियाबाद (उ.प्र.) में स्थित प्राचीन टीले गुलिस्तानपुर का स्थल मानचित्र

50 0 50 150 250 फुट
12 0 12 36 60 84 मीटर

3.



संरक्षण की प्रस्तावित सीमाये

(ARCHAEOLOGY)

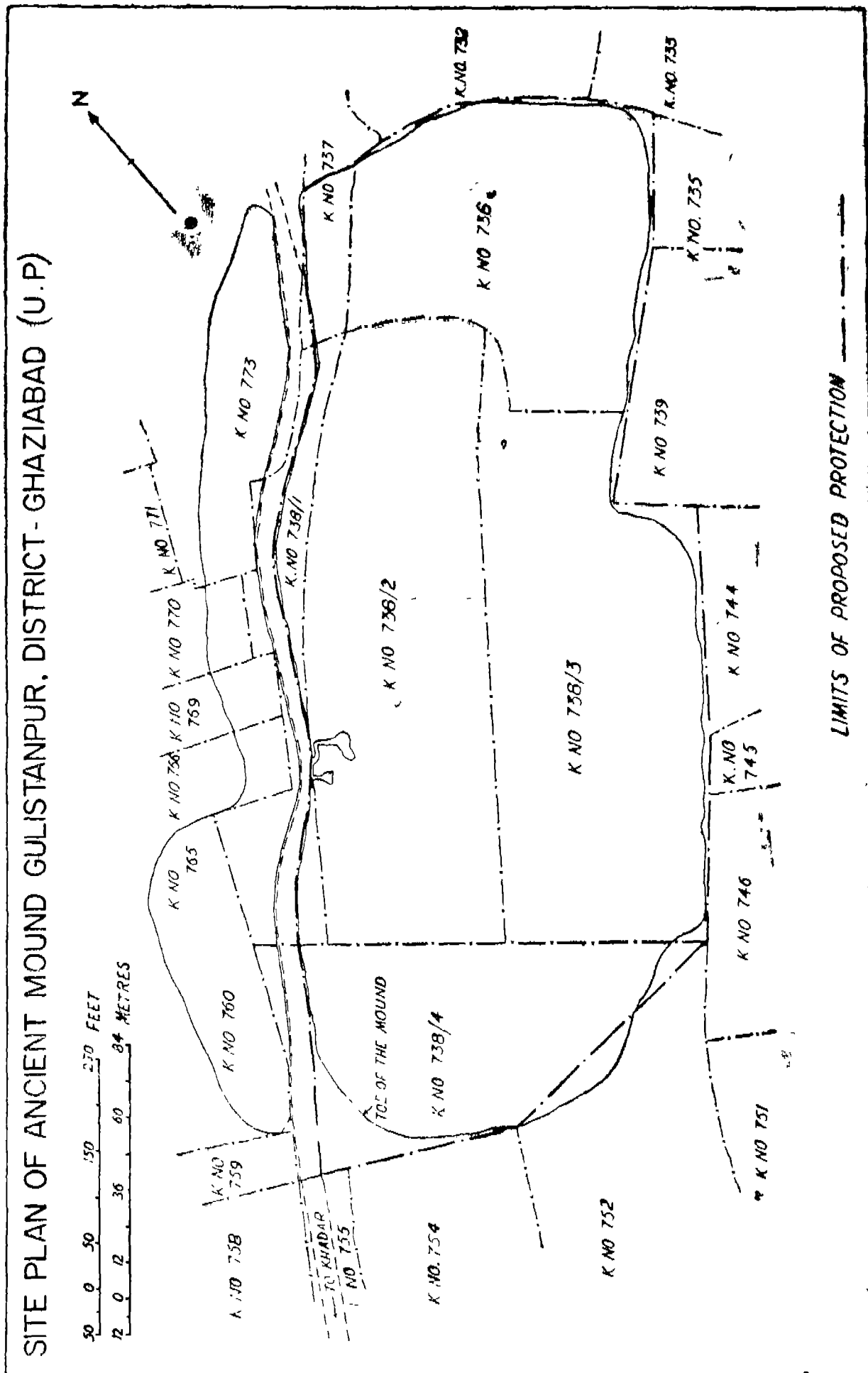
S.O. 2251.—Whereas the Central Government is of opinion that the archaeological site and remains specified in the Schedule annexed hereto is of national importance;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives two months' notice of its intention to declare the said archaeological site and remains to be of national importance;

Any objection which may be received within a period of two months from the date of publication of this notification in the Official Gazette from any person interested in the said archaeological site and remains will be taken into consideration by the Central Government.

SCHEDULE

State	District	Taluk	Locality	Name of site	Revenue plot numbers to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10
Uttar Pradesh	Ghaziaabad	Dadri	Gulistanpur	Archaeological site and remains comprised in survey plot Nos. 736, 738/2, 738/3, parts of survey plot Nos. 737, 738/1 and 738/4 as shown in the site plan reproduced below.	Survey plot Nos. 736, 738/2, 738/3 parts of survey plot Nos. 737, 738/1 and 738/4 as shown in the site plan reproduced below.	4.2 Hectares	North—Survey plot Nos. 732, 733 and remaining portion of survey plot No. 737 East—Survey plot No. 735, 739, 744 and 745 South—Survey plot Nos. 746, 752, 754 and 755 West—Road in the remaining portions of survey plot Nos. 738/1, 737, 773 and 738/4.	Survey plot Nos. 737 and 738/4. Giam Samaj Remaining private	—



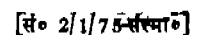
(पुरातत्व)

कां.बा.०२२६२.—केन्द्रीय सरकार की राय है कि इससे उपाय्य अनुसूची में विनिर्दिष्ट प्राचीन संस्मारक राष्ट्रीय महत्व का है; अतः केन्द्रीय सरकार, प्राचीन संस्मारक तथा पुरास्वीय स्थल और अवशेष अधिनियम, १९५८ (१९५८ का २४) की धारा ४ की उपधारा (१) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त प्राचीन संस्मारक को राष्ट्रीय महत्व का घोषित करने के अपने आशय की इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से दो मास की सूचना देती है।

केन्द्रीय सरकार, इस प्रकार विनिर्दिष्ट अवधि की समाप्ति से पूर्व उक्त प्राचीन संस्मारक में हितबद्ध किसी भी व्यक्ति से प्राप्त किसी आक्षेप पर विचार करेगी।

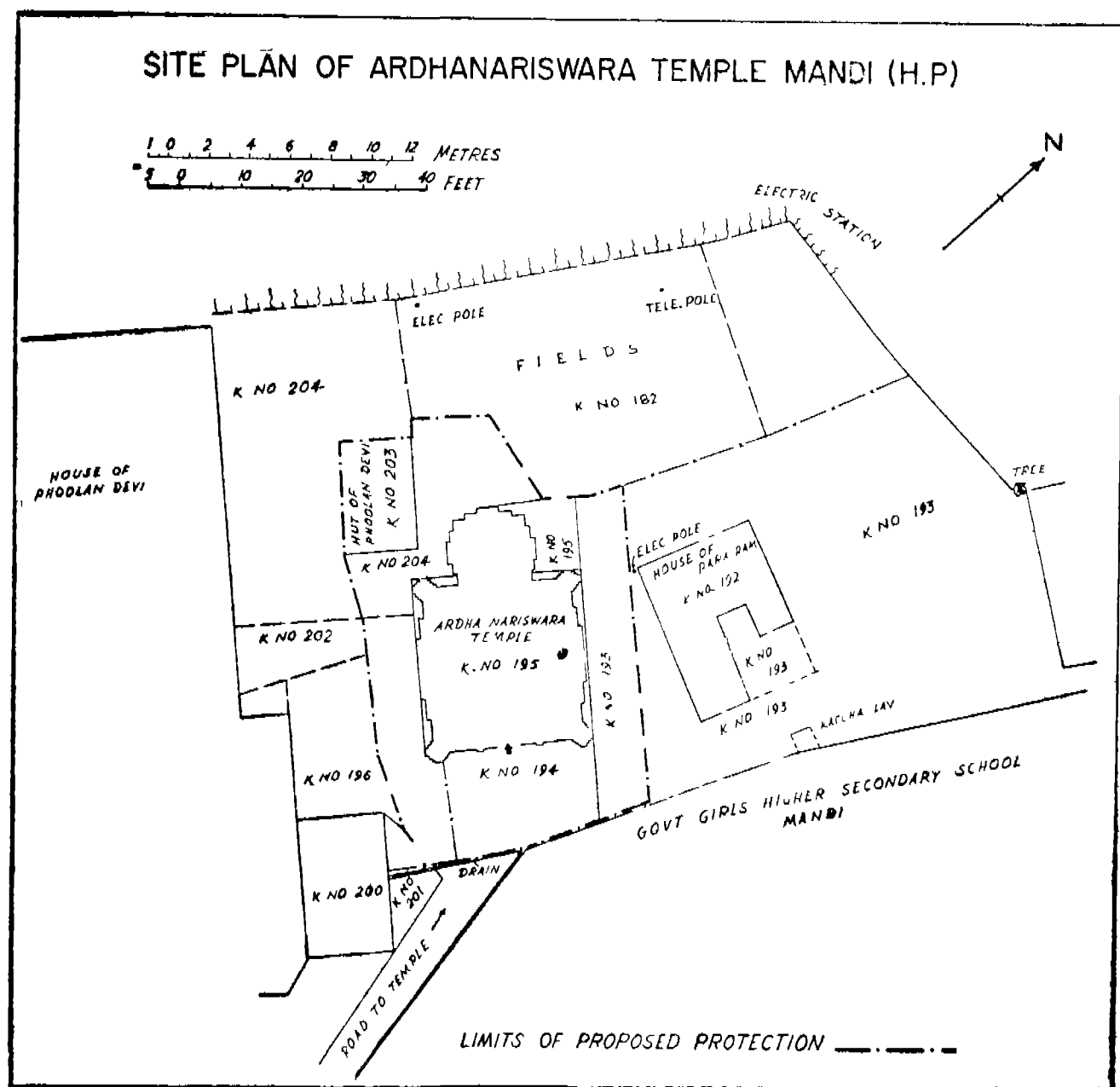
अनुसूची

राज्य	जिला	तहसील	अवस्थान	संस्मारक का नाम	सर्वेक्षण के अधीन सम्मिलित किए जाने वाले सर्वेक्षण प्लॉट सं०
1	2	3	4	5	6
हिमाचल प्रदेश	मंडी	नई मंडी	नई मंडी	मछनारीधर मंदिर और नीचे दिए गए स्थल रेखांक में दर्शित सर्वेक्षण प्लॉट संख्यांक 195, 203 में समाविष्ट संलग्न भूमि और सर्वेक्षण प्लॉट संख्यांक 193, 194, 196 और 204 के भाग	नीचे दिए गए स्थल रेखांक में दर्शित सर्वेक्षण प्लॉट सं० 195, 203-और सर्वेक्षण प्लॉट सं० 193, 194, 196 और 204 के भाग
क्षेत्र	सीमाएं	स्थापित	टिप्पणी		
7.	8	9	10		
0.023 हेक्टर	उत्तर:	सर्वेक्षण प्लॉट सं० 182 और सर्वेक्षण प्लॉट सं० 193 का शेष भाग	प्राइवेट सर्वेक्षण प्लॉट सं 194 को छोड़कर जो शामिल नहीं है।	धार्मिक उपयोग में नहीं है।	
	पूर्व:	राजकीय वास्तुका उच्चतर माध्यमिक विद्यालय और सर्वेक्षण प्लॉट सं० 194 का शेष भाग।			
	दक्षिण	सर्वेक्षण प्लॉट सं० 201 और 202 और सर्वेक्षण प्लॉट सं० 196 और 204 के क्षेत्र भाग।			
	पश्चिम.	सर्वेक्षण प्लॉट सं० 182 और सर्वेक्षण प्लॉट सं० 204 का क्षेत्र भाग			



State	District	Tehsil	Locality	Name of ancient monument	Revenue plot numbers to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10
Himachal Pradesh	Mandi	New Mandi	New Mandi	Ardhanariswara temple and adjoining land comprised	Survey plot Nos. 195, 203 and	0 023 Hectares	North - Survey plot No. 182 and remaining portion of	Private except survey	Not in religious use

1	2	3	4	5	6	7	8	9	10
				in survey plot Nos. 195, 203 and portions of survey plot Nos. 193, 194, 196 and 204 as shown in site plan reproduced below	portions of survey plot Nos. 193, 194, 196 and 204 as shown in site plan reproduced below		survey plot No 193 East — Government Girls Higher Secondary School and remaining portion of survey plot Nos. 194 South — Survey plot Nos. 201 and 202 and remaining portions of survey plot nos 196 and 204. West — Survey plot No. 182 and remaining portion of survey plot No. 204	plot No 194 which is Shamlat Deh	



(पुरातत्व)

क्रा०क्रा० 2253.—केन्द्रीय सरकार की राय है कि इससे उपायद्ध अनुसूची में विनिर्दिष्ट प्राचीन संस्मारक राष्ट्रीय महत्व के हैं।

अतः केन्द्रीय सरकार, प्राचीन संस्मारक तथा पुरातत्त्वयि स्थल और अवशेष अधिनियम, 1958 (1958 का 24) की धारा 4 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, उक्त प्राचीन संस्मारकों को राष्ट्रीय महत्व का घोषित करने के आशय की दो मास की सूचना देती है।

केन्द्रीय सरकार, इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से दो मास की अवधि के भीतर उक्त प्राचीन संस्मारकों में हितवद्ध किसी भी व्यक्ति से प्राप्त किसी आक्षेप पर विचार करेगी।

अनुसूची

राज्य	जिला	तहसील	अवस्थान	संस्मारक का नाम	संरक्षण के प्राचीन सम्मिलित किए जाने वाले सर्वेक्षण प्लॉट सं०
1	2	3	4	5	6
गोवा, दमन और दीव	गोवा	मुर्गाओ	सांकोले	सांकोले चर्च (फावर लेडी प्राफ हैल्य) का अधभाग और सर्वेक्षण प्लॉट सं० 266/2 में समाविष्ट उससे लगा हुआ क्षेत्र	सर्वेक्षण प्लॉट सं० 266/2
गोवा, दमन और दीव	गोवा	नियमोरी इल्हास	इला	फावर ओसफ बाज का काम प्राफ मिरेकलस चर्च और सर्वेक्षण प्लॉट सं० 137 में समाविष्ट उससे लगा हुआ क्षेत्र	सर्वेक्षण प्लॉट सं० 137
क्षेत्र	सीमाएं		स्वामित्व		टिप्पणी
7	8		9		10
1. 14 हेक्टर	उत्तर :	सर्वेक्षण प्लॉट सं० 265/2 और जुमारी नदी	सांकोले चर्च का फेब्रिकर		—
	पूर्व :	सर्वेक्षण प्लॉट सं० 289/3, 288/1 और जुमारी नदी			
	दक्षिण :	सर्वेक्षण प्लॉट सं० 267/4, 288/1 और मुख्य मार्ग को जाने वाला गौण मार्ग			
	पश्चिम :	सर्वेक्षण प्लॉट सं० 266/1, 267/4 और 265/2			
1. 78 हेक्टर	उत्तर :	सर्वेक्षण प्लॉट सं० 136/1, 136/2 और 138	गोवा, दमन और दीव की सरकार		—
	पूर्व :	सर्वेक्षण प्लॉट सं० 136/1			
	दक्षिण :	सर्वेक्षण प्लॉट सं० 136/1			
	पश्चिम :	सर्वेक्षण प्लॉट सं० 138			

[सं० 2/2/76-स्मारक]

(ARCHAEOLOGY)

S O. 2253.—Whereas the Central Government is of opinion that the ancient monuments specified in the Schedule annexed hereto are of national importance;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives two months notice of its intention to declare the said ancient monuments to be of national importance.

Any objection, which may be received within a period of two months from the date of publication of this notification in the Official Gazette from any person interested in the said ancient monuments will be taken into consideration by the Central Government

SCHEDULE

State Union territory	District	Tehsil	Locality	Name of monument	Revenue plot numbers to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10
Goa, Daman and Diu	Goa	Murgao	Sancoale	Frontis piece of Sancoale church (church of our lady of health) with adjacent area comprised in survey plot No 266/2	Survey plot No. 266/2	1.14 Hectares	North.—Survey plot Nos. 265/2 and river Zauri East.—Survey plot Nos. 289/3, 288/1 and river Zauri South.—Survey plot Nos. 267/4, 288/1 and bye road to main road West.—Survey plot Nos. 266/1, 267/4 and 265/2	Pabla of Church of Sancoale	—

1	2	3	4	5	6	7	8	9	10
Goa, Daman and Diu	Goa	Tiswadi Ilhas	Elilla	Church of the Cross of Miracles of father Joseph Vaz with adjacent area comprised in survey plot No. 137	Survey plot No. 137	1.78 Hectares	North : Survey plot Nos. 136/1, 136/2 and 138 East : Survey plot No. 136/1 South : Survey plot No. 136/1 West : Survey plot No. 138	Govern-ment of Goa, Daman and Diu	

[No. 2/11/76-M]

पुरातत्व

क्र० आ० 2254—केंद्रीय सरकार ने भारत सरकार के संस्कृति विभाग (भारतीय पुरातत्व सर्वेक्षण) की अधिसूचना सं क्र० आ० 2473 तारीख 24 अगस्त, 1981 द्वारा उससे संलग्न अनुसूची में विनिर्दिष्ट संरक्षित संस्मारक के समीप अथवा उससे संलग्न क्षेत्रों को खनन प्रक्रिया और सन्निर्माण अथवा दोनों को प्रतिबिद्ध करने के अपने आशय की घोषणा की थी और प्राचीन संस्मारक तथा पुरातत्त्ववीय स्थल और अवशेष नियम, 1959 के नियम 31 के उपनियम (1) की अपेक्षानुसार उक्त अधिसूचना की एक प्रति उस क्षेत्र के निकट सहज दृश्य स्थान पर चिपका दी गई थी।

और उक्त राजपत्र अधिसूचना की प्रतियां 1 अक्टूबर, 1981 को जनता को उपलब्ध करा दी गई थी ;

और जनता से कोई आक्षेप प्राप्त नहीं हुए है।

अतः केंद्रीय सरकार, उक्त नियम के नियम 32 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए इसके द्वारा उक्त क्षेत्र को खनन और सन्निर्माण या दोनों के प्रयोजन के लिए प्रतिबिद्ध क्षेत्र घोषित करती है।

अनुसूची

क्र०सं०	राज्य	जिला	तहसील	परिक्षेत्र	संस्मारक का नाम	निषिद्ध घोषित किए जाने वाले राजस्व प्लॉटों की संख्या	क्षेत्रफल	स्वाधिन्य	निषिद्ध घोषित किए जाने वाले क्षेत्र में यदि कोई प्राधुनिक संरचना हो तो उसका विवरण	टिप्पणी
1	2	3	4	5	6	7	8	9	10	11
1	कर्नाटक	हासन	बेन्नराय पटना	जिन्नाथपुर तथा श्रवण बेल गोला गांव	चन्द्रगुप्त बम्नी	ग्राम जिन्नाथपुर सर्वेक्षण प्लॉट सं० 58 सर्वेक्षण प्लॉट सं० 59 सर्वेक्षण प्लॉट सं० 60 सर्वेक्षण प्लॉट सं० 61 सर्वेक्षण प्लॉट सं० 67 सर्वेक्षण प्लॉट सं० 69 सर्वेक्षण प्लॉट सं० 68 (पूर्व संरक्षित क्षेत्रों को छोड़ कर) सर्वेक्षण प्लॉट सं० 71 ग्राम श्रवण बेलगोला सर्वेक्षण प्लॉट सं० 308 सर्वेक्षण प्लॉट सं० 309 सर्वेक्षण प्लॉट सं० 310 सर्वेक्षण प्लॉट सं० 315 सर्वेक्षण प्लॉट सं० 316 सर्वेक्षण प्लॉट सं० 318 सर्वेक्षण प्लॉट सं० 320 सर्वेक्षण प्लॉट सं० 321 सर्वेक्षण प्लॉट सं० 322 सर्वेक्षण प्लॉट सं० 324 (पूर्व संरक्षित क्षेत्र तथा तालाब को छोड़कर)	(हेक्टर में) 0-171 0-474 1-202 0-384 1-214 6-120 21-253 2-741 10-288 1-214 1-365 2-420 0-980 1-365 2-680 0-474 0-618 37-231	प्राइवेट प्राइवेट प्राइवेट सरकारी प्राइवेट प्राइवेट सरकारी (चरागाह) प्राइवेट सरकारी प्रांशिक तौर पर गैर-सरकारी व्यक्तियों को आर्बाइट प्राइवेट प्राइवेट प्राइवेट प्राइवेट प्राइवेट प्राइवेट प्राइवेट सरकारी, प्रांशिक तौर पर गैर-सरकारी व्यक्तियों को आर्बाइट		

[सं० 2 को 2/77-संस्मारक]

(ARCHAEOLOGY)

S.O. 2254.—Whereas by the notification of the Government of India in the Department of Culture (Archaeological Survey of India), No. S.O. 2473, dated the 24th August, 1981, the Central Government gave notice of its intention to declare the area near or adjoining the protected monument specified in the Schedule annexed hereto to be prohibited area for purpose of mining operation and construction or both and a copy of the said notification was affixed on a conspicuous place near the area as required under sub-rule (1) of rule 31 of the Ancient Monuments and Archaeological Sites and Remains Rules, 1959;

And whereas the copies of the said Gazette notification were made available to the public on the 1st October, 1981;

And whereas no objections have been received from the public;

Now, therefore, in exercise of the powers conferred by rule 32 of the said rules, the Central Government hereby declare the said area to be prohibited area for purpose of mining and construction or both.

SCHEDULE

State	District	Tehsil	Locality	Name of monument	Revenue plot number of the area declared prohibited	Area	Ownership	Details of modern structures, if any in the area to be declared prohibited	Remarks	
1	2	3	4	5	6	7	8	9	10	11
1	Karnataka	Hassan	Chennarayana patna	Jinnatpur and Sravanabelagola villages	Chandragupta Basti	Village Jinnatpur Survey plot No. 58 Survey plot No. 59 Survey plot No. 60 Survey plot No. 61 Survey plot No. 67 Survey plot No. 69 Survey plot No. 68 (excluding the area already under protection) Survey plot No. 71 Village Sravanabelagola : Survey plot No. 308 Survey plot No. 309 Survey plot No. 310 Survey Plot No. 315 Survey plot Ho. 316 Survey plot No. 318 Survey plot No. 320 Survey plot No. 321 Survey plot No. 322 Survey plot No. 324	(in Hectares) 0.171 0.474 0.202 0.384 1.214 6.120 21.253 2.741 10.288 1.214 1.365 2.420 0.980 1.365 2.680 0.474 0.616 37.231	Private Private Private Government Private Private Government (Grazing field) Private Government partly allotted to Private Private Private Private Private Private Private Government partly allotted to private Individuals	— — — — — — — — — —	

[No. 2-B/2/77-M]

(पुरातत्व)

का०आ० 2255—केन्द्रीय सरकार ने भारत सरकार के संस्कृति विभाग (भारतीय पुरातत्व सर्वेक्षण) की अधिसूचना सं० का०आ० 2472 तारीख 24 अगस्त, 1981 द्वारा उससे संलग्न अनुसूची में विनिर्दिष्ट संरक्षित स्मारक के समीप अथवा उससे संलग्न क्षेत्रों को खनन प्रक्रिया और संनिर्माण अथवा दोनों प्रतिषिद्ध करने के अपने प्राण्य की घोषणा की थी और प्राचीन स्मारक तथा पुरातत्वीय स्थल और अवशेष नियम, 1959 के नियम 31 के उपनियम (1) की अपेक्षानुसार उक्त अधिसूचना की एक प्रति उस क्षेत्र के निकट सहज दृश्य स्थान पर बिपका दी गई थी।

और उक्त राजपत्र अधिसूचना की प्रतियाँ 1 अक्टूबर, 1981 को जनता को उपलब्ध करा दी गई थी ;

और जनता से कोई आक्षेप प्राप्त नहीं हुआ है।

अतः केन्द्रीय सरकार, उक्त नियम के नियम 32 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए इसके द्वारा उक्त क्षेत्र को खनन और संनिर्माण या दोनों के प्रयोजन के लिए प्रतिषिद्ध क्षेत्र घोषित करती है।

અનુસૂચી:

[illegible]

[सं० २बी/२/७७-सस्मारक]

डा० श्रीमती देबला मित्र, महानिदेशक एवं पदेन संयुक्त सचिव

(ARCHAEOLOGY)

S.O. 2255.—Whereas by the notification of the Government of India in the Department of Culture (Archaeological Survey of India), No. S. O. 2472, dated the 24th August, 1981, the Central Government gave notice of its intention to declare the area near or adjoining the protected monument specified in the Schedule annexed thereto to be prohibited area for purpose of mining operation and

construction or both and a copy of the said notification was affixed on a conspicuous place near the area as required under sub-rule (1) of rule 31 of the Ancient Monuments and Archaeological Sites and Remains Rules, 1959;

And whereas the copies of the said Gazette notification were made available to the public on the 1st October, 1981,

And whereas no objections have been received from the public:

Now, therefore, in exercise of the power conferred by rule 32 of the said rules, the Central Government hereby declare the said area to be prohibited area for purpose of mining and construction or both.

SCHEDULE

Sl. State No.	District	Tehsil	Locality	Name of Monument	Revenue plot number of the area declared prohibited	Area	Ownership	Details of modern structures, if any, in the area to be declared prohibited	Remarks	
1	2	3	4	5	6	7	8	9	10	11
1.	Karnataka	Hassan	Chennarayana-patna	Village Sravana-belagola	Gomateswara Statue	Village Sravanabelagola	(in hectares)			
						Survey Plot No. 162	2 214	Private	—	—
						Survey Plot No. 164	1 678	Private	—	—
						Survey Plot No. 171	1 922	Private	—	—
						Survey Plot No. 172	1 922	Private	—	—
						Survey Plot No. 173	0 960	Private	—	—
						Survey Plot No. 174	3 267	Private	—	—
						Survey Plot No. 175	1 598	Private	—	—
						Survey Plot No. 247	5 389	Govt. partly allotted to private individual	—	—
						Survey Plot No. 248	0 687	-do-	—	—
						Survey Plot No. 249	0 272	Private	—	—
						Survey Plot No. 250	2 053	Private	—	—
						Survey Plot No. 251	4 248	Govt (Grazing field)	—	—
						Survey Plot No. 252	1 740	Private	—	—
						Survey Plot No. 253	0 920	Private	—	—
						Survey Plot No. 254	1 112	Private	—	—
						Survey Plot No. 255	1 405	Private	—	—
						Survey Plot No. 256	1 638	Private	—	—
						Survey Plot No. 257	1 729	Private	—	—
						Survey Plot No. 258	0 809	Private	—	—
						Survey Plot No. 259	1 355	Private	—	—
						Survey Plot No. 260	0 607	Government	—	—
						Survey Plot No. 261	0 950	Private	—	—
						Survey Plot No. 265	0 292	Private	—	—
						Survey Plot No. 267	0 566	Private	—	—
						Survey Plot No. 268	1 608	Private	—	—
						Survey Plot No. 269	0 526	Private	—	—
						Survey Plot No. 270	0 505	Government	—	—
						Survey Plot No. 272	0 920	Private	—	—
						Survey Plot No. 273	1 598	Private	—	—
						Survey Plot No. 274	5 179	Private	—	—
						Survey Plot No. 275	2 731	Private	—	—
						Survey Plot No. 276	1 740	Private	—	—
						Survey Plot No. 277	1 214	Private	—	—
						Survey Plot No. 278	3 905	Private	—	—
						Survey Plot No. 280	15 215	Govt. partly allotted to Private individuals	—	—
						Survey Plot No. 281	6 495	Private	—	—

[No. 2-B/2/77-M]

Dr. Mrs. D. MITRA, Ex-officio Joint Secretary and Director General, Archaeological Survey of India

MINISTRY OF LABOUR

ORDER

New Delhi, the 3rd June, 1982

S.O. 2256.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta in the industrial dispute between the employers in relation to the management of Life Insurance Corporation of India, Calcutta and their workmen, which was received by the Central Government on the 27th May, 1982.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CALCUTTA

Reference No. 14 of 1980

PARTIES :

Employers in relation to the management of Life Insurance Corporation of India, Calcutta.

AND

Their Workmen.

APPEARANCES :

On behalf of Employers.—Mr. S. Sarkar, Advocate.

On behalf of Workmen.—Mr. D. L. Sen Gupta, Advocate.

STATE : West Bengal

INDUSTRY : Insurance

AWARD

This reference under Section 10(1)(d) of the Industrial Disputes Act, 1947 was sent by the Government of India, Ministry of Labour by its Order No. L-17012/10/79-D. IV(A) dated 7th February, 1980, to this Tribunal for adjudication of the following dispute existing between the Employers in relation to the management of Life Insurance Corporation of India, Calcutta and their workmen :

Whether the action of the management of Life Insurance Corporation of India, Calcutta in altering the date of birth of Shri Sambhu Charan Ghosh, Sepoy, from 16th June, 1922 to 15th April, 1923 in the official records is justified ? If not, to what relief is the concerned workman entitled ?"

2. Shri Sambhu Charan Ghosh was appointed as a Boy Peon in Rajasthan Insurance Company Ltd. a private small company briefly "(company)" in April, 1938. He was 10 years 2 months old at that time. His date of birth at that time was 16th June, 1928. He was illiterate and could simply write his name. In 1952 or 1953 he got his life insured with his company. His age as mentioned in his horoscope was accepted by the company. The policy number was also mentioned in the horoscope. In 1956 the employee, namely, the Life Insurance Corporation of India was constituted by an Act of Parliament by virtue of which all the then Life Insurance companies merged in the Corporation. This company also merged in the Corporation by operation of law. All the employees of this company including Sambhu Charan Ghosh become employees of the Life Insurance Corporation with continuity of service. Sri Ghosh again got his life insured with the Life Insurance Corporation, his policy nos. being 9083976, 9477453, 31784245. In all the insurance policies the date of birth of Shri Ghosh was the same as is in his horoscope, namely 16th June, 1928. The staff record sheet prepared by the Insurer and signed by the Custodian at the time of transfer of service of Sri Ghosh to the Life Insurance Corporation also shows the same date of birth. It thus appears that right from April, 1938 his date of birth was 16th June, 1928.

3. In the year 1976, however, the Calcutta Division office through its letter date 17/20 July, 1976 informed Sri Ghosh

that his date of birth was 15th April, 1920. It perhaps though that a boy of 10 years and 2 months could not have been appointed as a Peon. The appointment at that age appeared to the Life Insurance Corporation authority something unusual and not proper. It treated him therefore 18 years old at the time of appointment in the erstwhile company. To me the act of the Life Insurance Corporation authority appears something surprising and peculiar. For about 38 years his date of birth was not challenged by anybody. It was accepted by the company and no protest was ever made for a number of years by the Corporation also. The same age was accepted in the policies which were later on taken by Sri Ghosh in the Life Insurance Corporation. It would not be out of place to mention here that in the letter marked Annexure A-1 to the written statement of the Union on behalf of the workman it is admitted that the date of birth of Sri Ghosh was 16th June, 1928. Attention of this Tribunal was drawn to this letter dated 14th June, 1978 sent by the Corporation to Sri Sambhu Charan Ghosh in presence of the Corporation lawyer and there was no challenge to the statement contained in the said letter. The relevant portion of this letter runs as under :

We have received your letter dated 27-5-78 and have noted the contents therein.

In reply to the same we certify that your age in the above policies was proved as Twentyfive years in 1952 by your Horoscope and accordingly your date of birth was recorded as 16th June, 1928"

4. I have already stated that the Corporation never challenged the date of birth of Sri Ghosh for 20 years after the merger in 1956. It does not stand to reason as to how without a chit of paper or without any material whatsoever the Corporation sent information to Sri Ghosh that the date of birth was 15th April, 1920. Such an act is simply imaginative and may be termed as perverse. I am of opinion that in the above circumstances the Corporation is stopped from challenging the age of Sri Ghosh. However, the materials show that Sri Ghosh had clearly proved his date of birth to be 16th June, 1928 by means of the horoscope and the insurance policies. The arbitrary fixation of the date of birth by the Corporation cannot be accepted. It is illegal and notice sent by the Corporation has to be quashed.

5. The learned Counsel appearing on behalf of the Corporation, however, argued vehemently that the reference has become infunctious in view of the fact Sri Ghosh has not retired and has been allowed to continue in service. The argument has no force. It appears from the record that Sri Ghosh has been allowed to continue only until the adjudication of the dispute by this Tribunal.

6. It was next contended that the reference has become incompetent in view of the Life Insurance Corporation (Amendment) Act, 1981. The learned Counsel submitted that because of the amendment of the L.I.C. Act in the year 1981 the Industrial Disputes Act would not apply to the employees of the Corporation. The amendment has been placed before this Tribunal. There is nothing in the amendment to support this contention. The existing right of an employee of the Corporation is not at all affected by the amendment. Moreover, the amendment has absolutely no application to the dispute in question which is clear from the terms of the reference as already above mentioned. The actual dispute is whether the management was justified in altering the date of birth. To such a dispute the amendment has nothing to do. The contention is accordingly rejected.

7. It was next urged that heavy onus to prove the age lay upon Sri Ghosh and this he failed to do so. I do not think so. The most important documents on behalf of Sri Ghosh is his horoscope and the Life Insurance Policies. Others are simply in the nature of correspondence with the Corporation. On behalf of the Corporation there is not a single chit of paper on the point of the actual age of Sri Ghosh. All are in the nature of correspondence with Sri Ghosh from 1976 to 1980. So far as oral evidence is concerned, the Counsel for the workmen said that no further evidence would be adduced by him. The management also did not produce any

witness. In this situation the date of birth of Sri Ghosh has to be accepted as correct. He produced his horoscope before the company and the age noted therein was accepted by the company. It was also accepted by the Corporation in its letter (Annexure A-1 to written statement of the workmen) dated 14th June, 1978 already referred to above. It is to be noticed that the direct question involved in this case does not relate to the proof of age but to the question whether the management was justified in altering the date of birth. It have already shown that the management could not lawfully do it.

8. It was further submitted by the learned Counsel of the Corporation that it was not within the competence of this tribunal to determine the age and that this question could be dealt with and age verified only by the L. I. C. authority as per 1970 instructions issued by the Chairman of the Corporation, read with the Staff Regulations 1960. In my opinion, the point is not here as to the ascertainment of age. Sri Ghosh never came forward with any case before any authority that his date of birth was 16 June 1928. It was the Corporation who raised the question by altering his date of birth. The Corporation itself had accepted the age for a number of years. The age of Sri Ghosh had already been accepted by the appointing company. The point thus has no force. Counsel for the management made reference to some laws but they are not relevant for adjudicating this dispute and so it is not necessary to discuss them.

9. I hold that the action of the management of the Life Insurance Corporation of India, Calcutta in altering the date of birth of Sambhu Charan Ghosh, Sepoy from 16th June 1928 to 15 April, 1920 (noted 1923 by mistake) in the official records is wholly unjustified. It is held that his date of birth as given by Sri Ghosh is correct and it is based on legal evidence. His date of retirement will, therefore, be determined on the basis of his date of birth 16 June 1928. The two letters—one dated 17/20th July, 1976 (Annexure A) sent to Sambhu Charan Ghosh telling him that his date of birth was 15 April 1920 and another dated 7/13 August 1979 (Annexure D) telling him that he will be retiring from the service of the Corporation with effect from 15 April 1980 are quashed. I direct the Management of the Life Insurance Corporation to restore the date of birth of Sri Sambhu Charan Ghosh as 16 June 1928.

This is my award. Let this award be sent to the Central Government at once.
Dated, Calcutta,

The 20th May, 1982.

MEDINI PRASAD SINGH, Presiding Officer

[No. L-17012(10)/79-D. IV (A)]

T. B. SITARAMAN, Desk Officer

New Delhi, the 3rd June, 1982

S.O. 2257.—In pursuance of section 17 of the Industrial Dispute between the employers in relation to the management hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the industrial Dispute between the employers in relation to the management of General Manager's Office Dishergarh Area of Messrs Eastern Coalfields Limited, and their workmen, which was received by the Central Government on the 31-5-82.

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT No. 3, DHANBAD

Reference No. 68/80

PARTIES :

Employers in relation to the management of General Manager's Office, Dishergarh Area of M/s. Eastern Coalfields Ltd., P. O. Sitarampur (Dist. Burdwan).

AND

Their workman

APPEARANCES :

For the Employers.—Shri P. C. Roy, Deputy Personnel Manager.

For the Workman.—Shri Ashis Maiti, Secretary of the Union.

INDUSTRY : Coal,

STATE : West Bengal

New Delhi, the 24th May, 1982

AWARD

The Govt. of India in the Ministry of Labour in exercise of the powers conferred on them U/s. 10(1)(d) of the Industrial Disputes Act, 14 of 1947 has referred the dispute to this Tribunal for adjudication under Order No. L-19012 (49)/80-D. IV (B) dated the 31st October, 1980.

SCHEDULE

"Whether the demand of the workman of M/s. Eastern Coalfields Ltd., Dishergarh Area for placing Shri Ashoke Mukuty, Telephone Operator in the office of the General Manager, in Grade 'B' (Technical) is justified? If so, to what relief is the said workman entitled and from what date?"

2. Parties have filed their respective written statements and the case was ready for hearing.

3. On 10-5-1982 both the parties have filed a petition of compromise stating the terms of settlement with a prayer that an award be passed in terms thereof. The compromise petition has been signed by the authorised representatives of both the parties.

4. I have gone through the terms of the settlement and find that the same is beneficial to the workman.

5. The award is accordingly passed in terms of the compromise petition which shall form part of the award.

Sd/-

J. N. SINGH, Presiding Officer

BEFORE THE HON'BLE PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT No. 3, DHANBAD

Reference No. 68 of 1980

PARTIES :

Employers in relation to the Management of General Manager, Dishergarh Area of ECL, P. O. Sitarampur, Dist. Burdwan.

AND

Their Workmen

Both the parties above named file joint petition of compromise as per terms mentioned hereunder.

1. That the above matter is pending for adjudication before the Hon'ble Tribunal and the matter has not been heard as yet.

2. That the Colliery Mazdoor Sabha (AITUC) the concerned union of the workmen Sri Ashoke Mukuty has approached the management for settlement of the alleged dispute.

3. That the matter has been discussed between the Management and the concerned Union and the Management without prejudice to its averments made before the Hon'ble Tribunal has agreed to settle the alleged dispute on the following terms and conditions.

Terms of Settlement

a. In accordance with the Union's request the employers agree to place the concerned workmen in clerical grade 1 with the designation Grade I Clerk from the date of issue of posting order on the basic rate of the Rs. 688 per month.

b. The place of posting of the concerned workmen shall be decided by the management and shall be intimated to the workmen within a week from the date of filing the settlement.

c. Sri Mukuti shall have no claim whatsoever the management and the settlement resolves all dispute and claim of the concerned workmen including those of order of reference number I. 19012 (49)/80-B(IV) dated 31-10-80.

d. Neither party will be entitled to any cost and the parties will bear their respective cost of this proceeding.

e. Both the parties jointly pray that the Hon'ble Tribunal may be pleased to accord approval to the proposed settlement which is considered by both the parties, as quite justified and legal and pass an AWARD accordingly treating this settlement as part of thereof.

In this circumstances, both the parties most respectfully pray that the Hon'ble Tribunal may be pleased to accept the settlement as per above terms and conditions and pass an AWARD accordingly treating the settlement as a part thereof and/or pass such other orders may be considered fit and proper for maintaining harmonious relations between the parties.

And for this act your petitioners shall ever pray.
Dated the 10th of May 1982.

Representing the Union
Sd/-

Sd/-
Representing the Employers.

Sd/-
Signature of the Workmen

[No. L-19012/(49)/80-D. IV (B)]
J. N. SINGH, Presiding Officer

New Delhi, the 5th June, 1982

S.O. 2258.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Arbitrator, in the industrial dispute between the employers in relation to the management of Singareni Collieries Co., Limited, and their workmen, which was received by the Central Government on the 2-6-82.

BEFORE SHRI M. R. RAJU DEPUTY CHIEF LABOUR COMMISSIONER (C) AND ARBITRATOR, NEW DELHI.

Reference No. 2 of 1982

In the matter of industrial dispute between the Management of Singareni Collieries Company Limited and their workmen represented by Singareni Collieries Workers Union regarding alleged non-payment of Category V wages to the roof bolting and stitching mazdoors.

APPEARANCES :

On behalf of Employer.—Sri V. Gopala Sastry, Sr. Personnel Officer.

Representing workmen.—Sri M. Komarajah, General Secretary, S.C.W.U. Sri Raghun Ramulu, Vice President, Andhra Pradesh Colliery Mazdoor Sangh, Godaverikhan.

STATE : Andhra Pradesh

INDUSTRY : Coal Mines

AWARD

The employers of M/s. Singareni Collieries Ltd., U. O. Kothagudem Collieries and their workmen represented by Singareni Collieries Workers Union by an agreement dated 19-10-1981 under Section 10A of the Industrial Disputes Act, 1947 read with Rule 7 of the Industrial Disputes (Central) Rules, 1957 referred the above dispute stated below for my arbitration under the said Act

"Whether the demand of the Singareni Collieries Workers Union for grant of category V wages of NCWA-II to the Roof Bolting and Stitching mazdoors working in collieries/mines of M/s. Singareni Collieries Co., Ltd., is justified or not? In any case, to what relief the workmen are entitled and from what date?"

2. Accordingly the Central Government referred the said dispute for my arbitration vide notification No. L-21013(1)/81-I v. B dated 16-11-81 published in the Gazette of India, Part II, Section 3(ii) vide S.O. No. 3258 dated 28th November, 1981.

3. According to the terms of Arbitration agreement dated 19-10-81, the award was to be given with a period of two months from the date of publication of the agreement in the official Gazette or within such further time as is extended by mutual agreement between the parties in writing.

4. Hearing was held on 30th November, 1981, 30th December 1981, 8th March, 1982, 9th March 1982 and 12th April, 1982. On the date of the first hearing Sri A. Raghun Ramulu, Vice President of the Andhra Pradesh Colliery Mazdoor Sangh appeared and filed a petition requesting to be impleaded as a party to the dispute as their members were also interested in the dispute. During the course of hearing on 31st December, 1981, the Vice President of APOMS was informed that their request for impleading them as a party was accepted. The parties by mutual consent agreed in extending time for the arbitrator to give his award before the end of June, 1982. On the above dates of hearing the parties filed their written statements and counter statements. Arguments were also heard on 12th April, 1982. Both the parties reiterated their points on these dates which have already been incorporated in their written statements and counter statements which are briefly as follows:—

5. The General Secretary Singareni Collieries Workers Union in his statement of claims stated that roof bolting and roof stitching mazdoor were paid 70 paise as allowance when the coal cutters were in category IV and the timber mazdoors in category III. After the Raghunatha Reddy award, the coal cutters who are placed in category and timber mazdoors in category IV, the management agreed to pay Rs. 1/- as allowance to the roof bolting/roof stitching mazdoors for the days they worked on roof bolting/stitching as a result of discussion with the union. The coal cutters in singareni collieries are in category V while this category is in category IV in Bengal and Bihar coal areas. Bengal and Bihar pattern according to them will not apply to singareni and all roof bolting roof stitching and saffari supporters are rightly entitled for category V wages. Their duty involves drilling of holes and fix bolts. They also deal with other materials like cement, etc., and this is a team work in view of this, they are entitled for category V wages.

6. The Vice President, AP Colliery Mazdoor Sangh in his statements of claims supported the above statement of Singareni Collieries Workers Union. He further added that stoppage of Re. 1/- allowance to the roof bolting and roof stitching mazdoors during the year 1981 was arbitrary and it is not proper for the management to curtail the existing emoluments/allowances. The work of this category is analogous to that of coal cutters who are in category V, from the date of Raghunatha Reddy's award, and the nature of job of these workmen is hazardous and involves heavy workload. He further stated that although it is a team work and the nature of work is some the management have given category V to one of the mazdoor and the rest are being paid category IV wages which amounts to discrimination.

7. The management in their statement of claims stated that the dispute is not maintainable as the demand is not supported by approved categorisation as existed in all-India as well as in Singheri and also contrary to the recommendations of the standardisation committee as approved by Jointly partite Committee for coal industry of which both the unions also are a party. Timbermen and roof bolting mazdoors are classified in one group. During the visit of sub-committee of the Wage Board in February, 1966 the question relating to roof bolting mazdoors was discussed along with the timber mazdoors and it was agreed that roof bolting mazdoors and it was agreed that roof bolting mazdoors holding category IV should be allowed new category III. Although they are making few holes in course of their work the quantum and nature of work are different from that of coal cutters or drillers. Apart from drilling more holes required for blasting, the coal cutters are required to dress the roof and pack holes and assist the shot firers in blasting operations. Management agreed to pay 70 paise as allowance to the roof bolting mazdoors on trial basis under a Bipartite settlement dated June, 1972 and unions demanded category IV instead of category III. This was one of the items referred to the arbitration of Shri Raghunatha Reddy the then Labour Minister in I. D. 30. The Arbitrator observed as Follows :—

"The unions have demanded that they should be placed in category IV instead of category III. I see that the sub-committee of the Wage Board have recommended that they be allowed new category III. I also understand that in Bipartite settlement of June, 1972 it has been agreed to pay them an allowance of 70 paise per day on trial basis from 1st July, 1972."

The claim of the unions for category IV for these mazdoors was rejected by the arbitrator. As timbermen were placed in category IV as a result of Raghunath Reddy award, these roof bolting mazdoors were also allowed category IV. When these mazdoors resorted to strike from 12-5-80, discussions took place with the unions. The management while reiterating their stand that there was no justification for category IV to these mazdoors, they agreed on an experimental basis to pay Re. 1 as allowance. This arrangement continued only for four months in Kothagudem division and the management found there was no justification for continuing this allowance based on their performance and the same was withdrawn. The management have implemented the recommendations of the JBCCI to which the unions are a party. Being a party to the standardisation committee's recommendations, the unions should not agitate for revision of category. The unions at the time of arguments stated that it is a team work. They drill holes with the drilling machine and fix bolts, with planks and they will have to carry cement and concrete and other materials to fix the bolts. They cut the rope into sizes and all the jobs are done by them in a team. The drillers in collieries are in category V and in all-India category IV. They also tried to emphasise that as per the correct interpretation of the job description of the standardisation committee all these workers deserve category V. They tried to emphasise the work of these mazdoors is more arduous than the drillers and coal cutters. While drilling the roof they will have to stand on a bench which is a risky job whereas the coal cutters will drill horizontally. The Vice President of the AP CMS while supporting the above stated that in Godevarikhan iron jacks and steel props are being dealt by these people. They are making channels to fix the rod and as such these workers are rightly entitled for category V with effect from 1-1-79.

8. The representative of the management stated further to the written statement already submitted in reply to the claim statement of the unions, that the reference is not maintainable for the reasons that (i) the issue is a subject matter of award of Shri Raghunatha Reddy, the then Union Labour Minister. The unions claimed only category IV for roof bolting mazdoors and category V for coal cutters. Shri Raghunatha Reddy rejected the demand for category IV. The unions in their strike notices of November, 1980 demanded cat. V for roof bolting mazdoors for the same reason. In a comprehensive settlement dated 2-1-81, in which both the unions are parties, all other demands not specifically mentioned therein including this demand were withdrawn. As per settlement the union is estopped from

raising the same issue till the end of 1982 i.e. operating of the settlement. They are also not expected to raise the issue involving monetary commitment.

9. Coming to the merits the job of roof bolting and roof stitching remained the same from inception. The management stopped payment of 70 p. for allotment of cat. IV to them. The management paid Re. 1 per day at Kothagudem purely as an experimental measure to tide over the strike under a specific understanding with the S. C. Workers Union. The same cannot be quoted to support their contention.

10. The management implemented the recommendations of the Standardisation Committee of JBCCI which has recommended cat. V for senior roof bolter and cat. IV for others. As per the job descriptions mentioned therein senior roof bolter and other crew are expected to drill holes, it is misnomer to say that other crew will not drill holes. What the management has done was to implement the JBCCI recommendations to which the unions are parties. In fact for the purpose of uniformity they should agree to the recommendations of the JBCCI.

11. The work of coal cutters is entirely different from roof bolting—mazdoors except that they drill few holes. The coal cutters are expected to drill more than 50 holes, carry explosives, pack and dress the heading for safety. The roof bolters are only drilling few holes ranging from 12 to 20 which is incidental to roof bolting. Therefore, they are rightly placed in cat. IV and nothing is due to them.

12. It will be seen from the facts stated above that the roof bolting/stitching mazdoors are always placed in a category less to that of coal cutters and the unions were also demanding a category less than coal cutters. Roof bolting and timber mazdoors are in category III before the Raghunatha Reddy Award while the coal cutters/drillers were in category IV. Coal cutters/drillers were placed in category V by the Raghunatha Reddy Award and timber mazdoors were also allowed category IV by the same Award. Since the timber mazdoors were allowed category IV by the Raghunatha Reddy Award, the management placed the roof bolting mazdoors also in cat. IV. The timbermen and roof bolting mazdoors were classified in one group. During the visit of the sub-committee of the Wage Board to Hyderabad in February, 1966, the question relating to roof bolting mazdoors came up for discussion and it was agreed that the roof bolting mazdoors who were in old category IV be allowed new category III. There appears to be some dissatisfaction among the roof bolting mazdoors and the management agreed to pay 70 paise per day as allowance to the timbermen employed on roof bolting work on trial basis, under a mutual settlement of 1972. The union, while claiming category V for the coal cutters in ID-30 of 1967, have claimed category IV to the roof bolting mazdoors instead of the then existing category III. All the issues of ID-30 of 1967 including demand for cat. IV for roof bolting mazdoors were referred for arbitration of Shri Raghunatha Reddy, the then Union Labour Minister. In his award dt. 11-2-74 the then IM observed that "the unions have demanded that they should be placed in category IV instead of category III. I see that the sub-committee of the Wage Board have recommended that they be allowed new category III. I also understand that the Bipartite settlement of June, 1972, it has been agreed to pay them an allowance of 70 paise per day on trial basis from 1-7-1972."

13. This payment of 70 paise was stopped after the roof bolting mazdoors were placed in category IV where the timbermen were given category IV consequent to the Raghunatha Reddy Award. The workmen, were, however, demanding category V now and then and were indulging in work stoppages, etc. When the workers went on strike in May, 1980, the management while reiterating their stand that there is no justification for cat. V to the roof bolting mazdoors agreed to pay Re. 1 per day as allowance to roof bolting mazdoors in Kothagudem division. After reviewing the performance this allowance appears to have been stopped as according to the management the performance of these workmen did not justify. This allowance according to the management is said to have been paid only for four months.

14. It would be seen from the above, that the categorisation of these mazdoors is in accordance with the recommendations of the sub-committee of the Wage Board. Even in the ID-30 of 1967 the unions demanded that the roof bolting mazdoors be placed in category IV instead of category III while demanding category V to coal cutters/drillers. The facts stated in the above para were not rebutted by the unions. They, however, tried to emphasise that the work of roof bolting mazdoors is more arduous than that of coal cutters. The sub-committee of the Wage Board as well as the arbitrator have gone deeply into the matter and the Arbitrator has also rejected the demand of the workmen for category IV while conceding the demand for category V to coal cutters/drillers. It is observed that the coal cutters/drillers drill 45 to 50 holes on an average. The coal cutters (1) carry explosives from magazine to workspot, (2) dress the work places before making the holes, (3) drill the holes numbering 45 to 50, (4) charge the holes, (5) guard the entries at the time of blasting, (6) dress the roof and sides after blasting, (7) follow with crowbar the Si dary Overmen/any officer for inspecting the roof and sides, (B) account the explosives and deposit the unused explosives at the magazine at the end of the shift. The entire production of the mine is mainly dependent on the performance of the coal cutters. While drilling the holes lot of skill is required so that maximum coal is yielded per shift. Not only drilling holes, they are undertaking lot of important and responsible jobs under Coal Mines Regulations by carrying explosives, charging explosives, dressing the faces, etc. They are the workers who are exposed to the working faces before and after blasting. The entire incentive scheme of a mine depended on these workmen.

15. The roof bolting mazdoors also drill holes in course of their work but the quantum of work and the nature of work is different. It is observed that the roof bolting mazdoors drill between 12 to 20 on an average which is incidental to roof bolting work. The unions tried to emphasise that the work of these mazdoors was arduous as they have to stand on the bench and drill holes sometimes. Coal cutters carry the explosives from surface to underground and bring back the explosives. In regard to roof bolting work, the material for his job are available (supplied through trolley upto the District) and they have to carry within the Dt. The coal cutter is required to charge each hole with explosives and with stemming material whereas each hole is filled with a roof bolt by the roof bolting mazdoors. The stitching mazdoors fill each hole by cement mixture and finally with the rope. Each face has to be dressed down (bad roof loose material) by the coal cutters after blasting and no such operation in roof bolting work. In the case of roof stitching they have to fill the gap between the rope and roof by lagging sometimes, a little dressing also is required before putting holes. Although roof bolting mazdoors drill few holes in the course of their work, cannot be compared to that of coal cutters. The coal cutters are more exposed to the work places before and after blasting. I am, therefore, convinced that the work of roof bolting mazdoors cannot be equated to that of coal cutters/drillers.

16. The unions further tried to emphasise that one of the mazdoors was allowed category V while the rest of the mazdoors in the gang were allowed category IV, although it is a team work. As per the job description of the JBCCI, the senior roof bolter only according to the unions is expected to drill holes while the rest of the crew need not drill holes. It would be seen from the job description of senior roof bolter that skilled workmen who along with the crew attached with him drills all types of strata and installs roof side bolts, ropes and other accessories for the purpose of mine supports and controls work of the crew attached to him. The job description shows that the drills are to be handled along with the crew. It cannot, therefore, be said that the crew is not expected to drill holes. I am not convinced of the argument of the unions. The JBCCI has recommended that the seniormost be placed in cat. V and named as senior roof bolter and the rest are called roof bolting crew and are placed in cat. IV. The management have implemented this decision of the JBCCI, to which the unions are a party, I am not convinced of the arguments of the union that it amounts to a discrimination between the workers on the ground that they work in a team.

17. (1) It would be seen from the above that the roof bolting/stitching mazdoors are always placed in a category less than that of coal cutters;

286 GI/82—8.

(2) The unions while claiming category V to coal cutters/drillers in ID-30 of 1967 claimed category IV to these mazdoors.

(3) At the time of the visit of the sub-committee of the Wage Board in 1966 it was agreed by the parties to allow new category III instead of old category IV to these workmen, while the coal cutters and drillers are placed in cat. IV.

(4) The arbitrator in his award dt. 11-2-74 rejected the demand of the unions for category IV.

(5) The work of roof bolting and stitching mazdoors cannot be equated to that of coal cutters/drillers as discussed, above.

(6) The two unions along with other unions claimed category V to Roof Bolting Mazdoors in their strike notice in November, 1980. In a comprehensive settlement dated 29-1-81 in which both the unions are parties, all other demands not specifically mentioned therein including this demand were withdrawn.

18. In view of the above, I do not find that the demand of the unions for placing the roof bolting/stitching mazdoors in category V on par with coal cutters/drillers is justified, I find that the management on two occasions have agreed to pay some allowance perhaps considering the arduous nature of the work. It is also observed that the management paid Re. 1 after the strike by these workers in May, 1980 and the same was stopped after about four months. Since the four year term of National Wage Agreement-II is expiring shortly, negotiations may be there in respect of such alleged incongruities which are likely to be taken up in the ensuing negotiations.

19. If the demand for these mazdoors for an upgradation of the categorisation is conceded, it will have a chain repercussion especially from the coal cutters/drillers who were always one category above and also from timbermen for upgradation of their categorisation. When Bipartite negotiations are likely to take place after the expiry of the present NCWA-II, I consider it may not be expedient to effect a change of category in respect of these mazdoors.

20. Since the management had earlier agreed to pay allowance perhaps considering the arduous nature of the work, I consider that the ends of justice will be met if the mazdoors are paid Rs. 1.25 per head for the days they work on roof bolting/stitching. As the senior mazdoors are placed in category V, consequent to the implementation of JBCCI recommendations, they will not be entitled to this allowance. This allowance will cease to be paid to the workers if higher category is decided at the time of signing of the National Agreement or before signing of the agreement. The payment of Rs. 1.25 will be paid to the workmen from the date the allowance of Re. 1 was stopped in Kothagudem Division.

I award accordingly.

M. R. RAJU, Deputy Chief Labour Commissioner (Central)

And Arbitrator

New Delhi-110001

Date : 2-6-1982.

[No. 21013(1)]81-D.IV(B)]

S. S. MEHTA, Desk Officer

New Delhi, the 2nd June, 1982

S.O. 2259.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Bombay in the industrial dispute between the employers in relation to the management of

M/s. S. Kantilal and Co. (Pvt.) Ltd., Goa and their workman, which was received by the Central Government on 25th May, 1982.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY

Reference No. CGIT-2/25 of 1980

PARTIES :

Employers in relation to the Management of M/s. S. Kantilal & Co. (Pvt.), Goa;

AND

Their Workmen.

APPEARANCES :

For the Employers—No appearance.

For the Workman—Shri George Vaz, General Secretary, Goa Mining Labour Welfare Union.

INDUSTRY : Mining. STATE : Goa, Daman & Diu.

Bombay, the 6th May, 1982

AWARD

On receipt of failure report from Conciliation Officer dated 16th October, 1975, the Governor of India by letter No. L-26042/15/74-LR-IV dated 4th February, 1975 have referred following issues under Section 10(1)(d) of the Industrial Disputes Act, 1947 for adjudication :

"Whether the action taken by the management of Sanchordem Iron Ore Mine of Messrs S. Kantilal and Company (Private) Limited in dismissing Shri Shivrām Karapurakar, Truck Driver, from service is justified? If not, to what relief is the said workman entitled?"

In support of the contention of the Union who are challenging the dismissal order passed by the management, they have filed the statement of claim whereby the plea that the workman was told that the vehicle was being taken away with the permission of the Manager, has been reiterated and it is further urged that the firewood which was to be collected and transported was for the use in the company canteen.

The record speaks that before the order of dismissal an enquiry was ordered, a chargesheet was framed and after giving an opportunity to the workman initially as well as on receipt of the Enquiry Officer's report, the relevant order was passed. This history has been brought out by the management in the written statement where also it is urged that the previous record of the workman was full of blemishes and that on earlier occasion also he had removed the vehicle without the permission of the authority. Only flaw in the written statement is that it is not verified, even then the narration of the history leading to the impugned order has to be taken cognizance of.

The charges which are levelled against the workman-Driver were :

- (1) That on Wednesday the 18th June, 1974 you had taken Company's truck TMB 6837 out of the mine premises at 7 P.M. without the knowledge of the Mines Manager or the Garage In-charge.
- (2) That you had taken the said truck inside the Paikul forest area for bringing firewood and in the process the said truck got stuck up in mud and as a result of which it could not be taken out by normal means.
- (3) To our shock and surprise we also learn that you had abandoned the said truck in the forest and the same could not be taken out until evening of the next day i.e. Thursday the 20th June, 1974.

- (4) That as a result of your above act not only the said truck was idle for a whole day but heavy machinery had to be engaged for removing the said truck at a severe cost to the Company.

In the same chargesheet there is also reference to the past record.

The charges were replied by the workman by his letter dated 24th June, 1974 where his contention was about the representation by the Cleaner to have obtained the permission from the Manager. He admitted the previous incidents at the same time in the last para he admitted to be at the fault and to have removed the truck without the Manager's permission. In view of the admission nothing remained to be established on the part of the management including the conduct of abandoning the vehicle. If the case of the workman was that the Cleaner mislead him, it was his duty to establish the said fact by citing the Cleaner which the workman failed to do, and if in the given circumstances the charges were held established and ultimately after giving show-cause notice as to why the order of punishment of dismissal should not be passed, the management decided to dismiss him, I do not think that any fault can be found with the relevant order and therefore, a finding that the action was justified will have to be noted, with the result that the workman cannot be held to be entitled to any relief.

It has transpired that the workman died subsequent to the Reference and therefore, even if the findings would have been in the negative, no relief of reinstatement was possible. Yet in view of my finding affirming the justification these questions do not arise and the reference has to be answered accordingly.

Award in terms.

M. A. DESHPANDE, Presiding Officer

[No. L-26042/15/74-IR/V/D. III. B]

अस संसालय

प्रादेश

नई दिल्ली, 4 जून, 1982

कां०अ० 2260.—केन्द्रीय सरकार को राय है कि इससे उपाययद्द मनुष्यी से विभिन्न विषय के बारे में मैसर्स एसोसिएटेड सीमेंट कम्पनी लिमिटेड, महुकराये, जिला कोयम्बटूर, तमिलनाडु के प्रबन्धकों से सम्बन्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मचारियों के बीच विद्यमान है :

और केन्द्रीय सरकार उक्त विवाद का न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है :

घटः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उप-धारा (1) के खण्ड (ब) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके वीठसीय अधिकारी श्री टी० सुब्रह्मण्यम् ईन्विल होंगे, जिसका मुख्यालय मद्रास में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है ।

अनुसूची

"क्या मैसर्स एसोसिएटेड सीमेंट कम्पनी लिमिटेड, महुकराये जिला कोयम्बटूर, तमिलनाडु के प्रबन्धकों की श्री जेयस (जोहन सेमूल), लवाम सर्वेयर को 10 अप्रैल, 1981 से सेवाविमुक्त करने की कार्यवाही न्यायिक है ? यदि नहीं तो कामगार, किन अनुलोय का हकदार है

[सं० एम० 29025/1/82-पी० 3की]

राशि भूषण, पञ्चर सचिव

ORDER

New Delhi, the 4th June, 1982

S.O. 2260.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Messrs Associated Cement Companies Limited, Madukkarai, Coimbatore District, Tamil Nadu and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Section 7A, and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government thereby constitutes an Industrial Tribunal of which Shri T. Sudarsanam Daniel shall be the Presiding Officer, with headquarters at Madras and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

"Whether the action of the management of Messrs Associated Cement Companies Limited, Madukkarai, Coimbatore District, Tamilnadu in terminating the services of Shri Jayes (John Samuel) mines surveyor with effect from 10th April, 1981 is justified. If not, to what relief is the workman entitled?"

[No. L-29025(1)/82-D.III(B)]

SHASHI BHUSHAN, Under Secy.

New Delhi, the 3rd June, 1982

S.O. 2261.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad in the industrial dispute between the employers in relation to the management of Benedih Colliery of Messrs Bharat Coking Coal Limited, Post Office Nawagarh, District Dhanbad, and their workmen, which was received by the Central Government on the 1st June, 1982.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO.3, DHANBAD

Reference No. 14/78

PARTIES:

Employers in relation to the management of Benedih Colliery of Messrs Bharat Coking Coal Ltd., P.O. Nawagarh, District Dhanbad.

AND

Their workman.

APPEARANCES:

For the Employers—Shri B. Joshi, Advocate.

For the workman—Shri S. Bose, General Secretary, R.C.M.S.

INDUSTRY: Coal.

STATE: Bihar.

Dated, the 25th May, 1982

AWARD

The Govt. of India in the Ministry of Labour in exercise of the powers conferred on them U/S 10(1) (d) of the Industrial Disputes Act, 14 of 1947 has referred the dispute to this Tribunal for adjudication under Order No. L-200012/206/77-D. III (A) dated the 14th February, 1978.

SCHEDULE

"Whether the action of the management of Benedih Colliery of M/s. Bharat Coking Coal Ltd., P.O. Nawagarh, Dist. Dhanbad in not regularising Shri

Surendra Singh as Cap Lamp Issue Clerk-Grade III (Clerical) is justified? If not, to what relief is the said workman entitled?"

2. The case of the workman is that he is a permanent employee of Benedih Colliery where he joined in early 1968 as a Coal Miner and worked in that capacity for about an year when he was allowed to work as Fan Khalasi. He is literate and the management used to engage him as Munshi and Cap Lamp Issue Clerk prior to take over of the colliery and he became fully conversant with the job of Cap Lamp Issue Clerk.

3. It is then stated at the time of take over he was working as Cap Lamp Issue Clerk but his designation was mentioned in the list of employee as Fan Khalasi. It is submitted that the workman has been working continuously as a Cap Lamp Issue Clerk since before nationalisation but still he is being paid wages in time scale Category II. He thus became looser in his monthly emoluments. Therefore he approached the management to regularise him as Cap Lamp Issue Clerk but to no effect and therefore the present dispute was raised and after failure of the conciliation proceeding the present reference has been made. It is submitted that the action of the management in not regularising the concerned workman as Cap Lamp Issue Clerk Grade III is not justified and he should be regularised in Clerical Grade III with effect from 31-1-1973 with all consequential reliefs.

4. The defence of the management however is that the concerned workman in fact is a Fan Khalasi and has been continuing as such. It is however stated that on his representation for giving opportunity to improve his status in future the management gave him chance to work as Cap Lamp Issue Clerk during leave and sick vacancy only and during the period from 1974 to 1976 he worked in the capacity of Cap Lamp Issue Clerk during leave and sick vacancy only but that also not continuously as he used to be reverted back to his substantial job of Fan Khalasi whenever the substitute/badli jobs of Cap Lamp Issue Clerk was not available. It is submitted that as the concerned workman never worked continuously as Cap Lamp Issue Clerk hence he is not entitled to be regularised in the said post.

5. The point for consideration is as to whether the action of the management in not regularising the concerned workman as Cap Lamp Issue Clerk-Grade III (Clerical) is justified. If not, to what relief is he entitled.

6. According to the management the concerned workman was in fact a Fan Khalasi and he never worked as a Cap Lamp Issue Clerk though during leave and sick vacancy he was permitted to do that job as and when occasion arose. On behalf of the union, however it is submitted that according to the Reference the concerned workman has been described as Cap Lamp Issue Clerk and the management cannot challenge the said status of the concerned workman. Further the Tribunal also cannot decide as to whether the concerned workman was a Fan Khalasi or a Cap Lamp Issue Clerk. It is submitted that the schedule of Reference does not allow the management to explain as to why they engaged him as Cap Lamp Issue Clerk and the management is debarred from raising this issue again. In support of it the representative of the union has drawn my attention to the ruling reported in Vol. 4 S. C. L. J. page (Delhi Cloth and General Mills Co. Ltd., and Workman and others). From a perusal of the said ruling it will appear that one of the terms of reference was as to whether the strike at the Delhi Cloth Mills and the lockout declared by the management are justified and legal and whether the workman are entitled to the wages for the period of lockout. The Tribunal framed an issue as to whether there was a strike or whether there was a lockout or not. It was held that the said issue about the existence of the strike or lockout could not have been decided by the Tribunal and the Tribunal should have proceeded on the basis that there was a strike and a lockout and the only point for decision would have been as to whether the strike or lockout is legal or not. On the analogy of this ruling it is submitted that as per terms of the Reference the concerned workman was working as a Cap Lamp Issue Clerk and the only issue to be decided is as to whether he should be regularised as Cap Lamp Issue Clerk or not.

7. Be whatever it may it is also admitted by the management that the concerned workman in between 1974 and 1976 worked as a Cap Lamp Issue Clerk though according to them this job was performed by him during leave and sick vacancy only and that also not regularly. It cannot be disputed that the management must have in their possession relevant documents to show as to in whose leave or sick vacancy the concerned workman worked as a Cap Lamp Issue Clerk and for what period. According to the workman he worked as Cap Lamp Issue Clerk continuously though he was designated as a Pan Khalasi which is also apparent from the document of the management Ext. M-1 series. Exts. W-1 W-2 are the authorisation showing that the concerned workman was authorised to work as Cap Lamp Issue Clerk. MW-1 is Sri A. B. Roy who was working as Asstt. Manager, Benedih Colliery since 1965. He has stated that there were 4 permanent Khalasi in that mine and the concerned workman is one of them and during leave and sick vacancy he used to be given the work of Cap Lamp Issue Clerk on certain occasions. As stated earlier no document has been filed on behalf of the management to show that concerned workman worked only during leave and sick vacancy as a badli worker. This witness has admitted that there is no document with him to show in whose place the concerned workman worked in leave vacancy nor he can say what happened prior to 1975. It is admitted by him that there are four Lamp Rooms and they work in all the three shifts. Further it is admitted by him that there should be 12 Cap Lamp Clerks for the said purpose but admittedly the number of Cap Lamp Clerk is less. MW-2 Sri Kamla Kant Singh who is Time Keeper has admitted that from 1973 to 1976 there were only 10 persons working as Cap Lamp Issue Clerk. Thus even according to MW-1 two posts were still vacant and it appears that the concerned workman was employed in one such post to do the work of Cap Lamp Clerk. Further it will appear that the post of Cap Lamp Issue Clerk is permanent and as such No. was less even according to the management it clearly goes to show that the concerned workman was engaged as a Cap Lamp Issue Clerk by the management. MW-1 the concerned workman has stated that he continuously worked as a Cap Lamp Issue Clerk and that he was removed from the said post when he made representation for regularising him in that post. In view of the admission of the management that the concerned workman was working as a Cap Lamp Issue Clerk it was their duty to produce authentic documents to show that in fact the concerned workman worked as a Cap Lamp Issue Clerk only during leave and sick vacancy and he was not working in that job regularly, but the management has failed to prove the same. In such circumstances and in view of the terms of Reference it must be held that the concerned workman was working as a Cap Lamp Issue Clerk continuously and hence under the circumstances he should have been regularised in that job.

8. The action of the management, on the evidence on record, thus in not regularising the concerned workman in the post of Cap Lamp Issue Clerk must be held to be unjustified.

9. The Next question is as to what relief the concerned workman is entitled. Considering the circumstances of the case I think the concerned workman should be regularised to the post of Cap Lamp Issue Clerk from the date of the Reference that is from 14th February, 1978 and he is entitled to all the consequential reliefs from the said date.

10. To sum up, I hold that the action of the management in not regularising the concerned workman as Cap Lamp Issue Clerk is unjustified and the concerned workman is entitled to be regularised in that post from 14th February, 1978 with all the consequential reliefs.

J N SINGH, Presiding Officer

[No L-20012(206)/77-D III(A)]

S.O. 2262.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad in the industrial dispute between the employers in relation to the management of Kessurgarh Colliery of Messrs Bharat Coking Coal Limited, Post Office Nudkhurkee, District Dhanbad and their workmen, which was received by the Central Government on the 1st June, 1982

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO 2) DHANBAD

Reference No. 25 of 1980

In the matter of an industrial dispute under S. 10(1)(d) of the I.D. Act, 1947

PARTIES.

Employers in relation to the management of Kessurgarh colliery of Messrs Bharat Coking Coal Limited, Post Office Nudkhurkee, District Dhanbad and their workmen

APPEARANCES :

On behalf of the employers : Shri B. Joshi, Advocate.

On behalf of the workmen : Shri S. Bose, Secretary, Rastriya Colliery Mazdoor Sangh, Dhanbad.

STATE. Bihar.

INDUSTRY. Coal.

Dhanbad, 26th May, 1982

AWARD

This is a reference under S. 10 of the I.D. Act, 1947. The Central Government by its order No. L-20012/177/79 D. III (A) dated 25th September, 1980 has referred the dispute for adjudication to this Tribunal under the following terms.

SCHEDULE

"Whether the demand of the workmen of Kessurgarh colliery of Messrs Bharat Coking Coal Limited, Post Office Nudkhurkee, District Dhanbad that Sarvashree Baleshwar Prasad Singh, Madhusudan Sharma, and J. K. Roy should be promoted to clerical grade I is justified. If so, to what relief are the said workmen entitled and from what date?"

2. These 3 concerned workmen are in clerical grade II in the cadre of clerks within Area No. 1 of M/s. Bharat Coking Coal Limited. The BCCL formulated a cadre scheme for the clerical personnel in order to regularise the grades of individual workmen. The case of the concerned workmen is that in Area No. 1 the management did not follow the prescribed formula given in that scheme with the result that these concerned workmen were bypassed deliberately and juniors to them were promoted. According to the workmen they were deprived of their legitimate claim to be placed in clerical grade I during late 1977 or early 1978. They represented their case before the management in July, 1978 but the management did not reply. The union of the workmen thereafter raised an industrial dispute before the Assistant Labour Commissioner (C) Dhanbad by their letter dated 6-1-79. The conciliation failed resulting in this reference by the Government of India, Ministry of Labour.

3. The parties turned up in response to the notice of the reference and filed their written statements and rejoinders.

4. The simple case of the management is that the management of BCCL has formulated a promotion policy and under that scheme Departmental Promotion Committee have been formed. The concerned workmen were in grade II and their cases were also considered by the Departmental Promotion Committee. The cases of the concerned workmen were not recommended for promotion to grade I by the D.P.C. with the reply that they are still in grade II. According to the management promotion is a matter of consideration by the management and workmen cannot claim promotion as a matter of right.

5. On behalf of the workmen it has been contended in the rejoinder that the Departmental Promotion Committee was not justified in bypassing the seniority of these concerned workmen and that the D.P.C. did not conform to the norms laid down in the promotion policy. According to them they should have been promoted to clerical grade I with effect from October 1977 when their juniors were promoted to grade I. They have also claimed other reliefs admissible to them.

6. On behalf of the management one witness has been examined, who is Shri K. P. Kewani, MW. 1. He is a clerk attached to the Personnel Department of Area No. 1. He has proved the report of the Departmental Promotion Committee which has been marked Ext. M3. The report has been signed by Shri K. M. P. Verma, Area Manager (recruitment), Shri I. K. Singh, Personnel Manager, Shri J. S. Chakraborty, Superintendent, Barora colliery and Shri D. N. Agarwal, Finance Manager. Shri B. K. San, Head Clerk also signed this report because the report was written in his pen. We have also a note sheet, Ext. M4 proved by this witness bearing the signatures of the aforesaid members of the Departmental Promotion Committee as well as the signature of the General Manager, Shri S. S. Bisnoui. The witness has admitted in cross-examination that he had no hand in preparation of the report, Ext. M3. He has also proved Ext. M5 which is an office order dated 10-8-79. This witness was in clerical grade II and was promoted to clerical grade I in 1980, along with 8/9 other candidates.

7. On behalf of the concerned workmen three witnesses were examined. WW-1 Shri Baleshwar Prasad Singh is one of the concerned workmen. He has proved Exts. W.1 and W.2. His evidence is that he has been working in Kessurgah colliery since 5-10-70. He was a bill clerk and was also doing the work of bonus clerk. On the basis of Ext. W.1, Shri Kaulash Kumar, Agent of the colliery made him Provident Fund incharge. According to the cadre scheme section incharge is to be placed in grade I, but he was not placed in grade I. The evidence of this witness is that Shri Kedar Singh, Shri R. P. Mahata and Shri S. Majumdar are juniors to him in employment in the same colliery but have been promoted to grade I in July, 1978. In cross-examination he has proved Ext. M1 which is a seniority list prepared by the management. The witness has however said that this list has been prepared after the promotion of the juniors of the concerned workmen to grade I. He has further admitted that the concerned workmen are non-matrices.

8. Shri Madhusudan Sharma, WW-2 is also one of the concerned workman. He has been working in the colliery since 10-11-56. He has proved 3 office orders, Exts. W.3, W.4 and W.5. He has further said that in the matter of promotion he was superseded by S/Shri R. P. Mahata, D. C. Chatterjee and many others.

9. The third witness WW-3 Shri J. K. Roy who is also a concerned workman. He has been working as P.F. Clerk since 19-10-68. He has proved a circular of the management which has been marked Ext. M6. His evidence is that in promotion to grade I he has been superseded by S/Shri R. P. Mahata, Kedar Singh and S. Majumdar.

10. Shri S. Bose appearing for the workmen has contended before me that the management of BCCL has not produced any seniority list prepared before the Departmental Promotion Committee sat to decide promotion from clerical grade II to clerical grade I. It is a fact that we have not before us the seniority list to see the seniority interse of clerical staff of Area No. 1 to which these concerned workmen belong. Shri Bose has argued that the documents filed on behalf of the workmen will go to show that these concerned workmen have been working in jobs which virtually are jobs of clerical grade I. But he has conceded that there was a formation of Departmental Promotion Committee which considered the cases of grade II clerks for promotion to grade I. The result of this reference therefore based on the facts as to whether these concerned workmen were entitled promotion to grade I which has been denied by the management on the basis of the report of the D.P.C. I would like to make it clear that normally in the matter of promotion a workman cannot ask for promotion as a matter of right. But it is the duty of the management to show that supersession was not mala fide. In this case the D.P.C. had to work under the prescribed norms. The management has produced the file of D.P.C. of clerical staff held on 31-5-78. Out of this file a cadre scheme, Ext. M1 has been proved. This cadre scheme has been signed by the Personnel Manager, Barora Area. The date of signature is 11-11-81. This seniority list is not helpful to us in order to ascertain the position of the concerned workmen in the cadre. Ext. M2 is the promotion policy dated 20-6-77. This document is very important. At page 3 of this scheme paragraph 7.1 shows that the seniority is to be counted from the date the employee has been appointed/promoted to a particular grade. On this principle the seniority of the concerned workmen has to be considered from the date

of their promotion to grade II. The subject of qualification and job description has been given under paragraph 5 at page 2. Paragraph 5.1 reads thus:

"The prescribed qualification for various posts shall be as per annexure B. Minimum qualification in the case of departmental candidates will not be a bar in departmental promotion."

Annexure B shows that the minimum qualification prescribed is Matriculation/SSLC in respect of all the various categories of clerical jobs. In the matter of experience the minimum period is 2 years in a particular trade.

11. Now let us see what the Departmental Promotion Committee has done. The selection chart is Ext. M3. In this chart Shri Baleshwar Prasad Singh one of the concerned workman is sl. no. 9. He was appointed on 1-9-69 and he has been working in grade II since take over. In qualification column he has been shown to be a non-matric and his C.R. column shows 'very good'. Now in the matter of marking he has received 10 marks for the length of service, no mark in the matter of qualification and 15 marks in C.R. The total marks received by him is 25. The chart will show that matriculates have been 10 marks in qualifications, intermediates 14 marks and B.A. 18 marks. The list further shows that non-matrices have not been able to succeed in obtaining requisite marks for promotion by reason of the fact that no mark has been allotted in the column of qualification. Similar is the case with regard to Shri J. K. Roy, Sl. No. 5 and Shri M. S. Sharma, sl. No. 6. So far as Shri J. K. Roy is concerned, the C.R. shows 'excellent'. Similarly Shri M. S. Sharma has also got 'excellent' marks. In the length of service they had obtained each 20 marks. But in the qualification column they have received no marks, while others who are matriculates, I.A. and B.A. have received marks ranging from 10 to 19. It is apparent that by virtue of their seniority and proficiency in their jobs as indicated from the C.R., they should have been considered for promotion. But they had been beaten down by their juniors on account of the fact that they were matriculates, intermediates and B.As. In this connection I may repeat that annexure B to the promotion policy prescribed the minimum qualification to be matriculates or SSLC. But in the promotion policy itself which I have quoted above it has been specifically said that minimum qualification in the case of departmental candidates will not be a bar in departmental promotion. It means that although the minimum qualification has been given in the promotion policy, it is not intended to be a bar in departmental promotion. Now it will appear that D.P.C. by allotting of marks for qualification has definitely put these non-matrices to disadvantage and in my opinion this should not have been done. I may further mention that the promotion policy is very clear on this point that in the matter of promotion from clerical grade II to grade I an employee will be promoted on the basis of seniority as the main criteria subject to their satisfactory performance. This is contained in paragraph 6.1, page 2 which is quoted below:

"For the purpose of promotion from grade III to grade II and from grade II to grade I employee will be promoted on the basis of seniority as the main criteria, subject to their satisfactory performance. The employee from grade I to special grade will be promoted on the basis of seniority-cum-suitability through D.P.C. promotion from special grade to supervisory grade will also be on the basis of seniority-cum-merit through D.P.C."

Strictly speaking promotion from grade III to grade II and from grade II to grade I has to be done on the basis of seniority. The policy does not lay down that this has to be determined by any Departmental Promotion Committee because in respect of promotion from grade I to special grade as well as from special grade to supervisory grade it has been specifically laid down that the promotion has to be made through D.P.C.

12. The result of the above discussions therefore is that the management has not applied in the case of the concerned workmen the norms given in the promotion policy and that they have been deprived of the promotion on account of the defective norms set up by the Departmental Promotion Committee.

13. Thus having considered all aspects of the case that the demand of the workmen of Kessurgarh colliery of Messrs Bharat Coking Coal Limited, Post Office Nudkharkee, District Dhanbad that Sarvashri Baleshwar Prasad Singh, Madhusudan Sharma and J. K. Roy should be promoted to clerical grade I is justified, and that they should be deemed to have been promoted to clerical grade I with effect from 20-7-1977 when the juniors were promoted to grade I. The concerned workmen are also entitled to all other benefits of clerical grade I with effect from 20-7-1977.

This is my award.

J. P. SINGH, Presiding Officer

[No. L. 20012/177/79-D.II(A)]

New Delhi, the 5th June, 1982

S.O. 2263.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Dhanbad in the industrial dispute between the employers in relation to the management of Moonidih Project of Messrs Bharat Coking Coal Limited, Post Office Moonidih, District Dhanbad and their workmen, which was received by the Central Government on the 2nd June, 1982.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under Sec. 10(i)(d) of I.D. Act

Reference No. 3 of 1981

PARTIES :

Employers in relation to the management of Moonidih Project of Messrs Bharat Coking Coal Limited, Post Office Moonidih, Dist. Dhanbad.

AND

Their Workmen

APPEARANCES :

For the Employers—Shri R.S. Murthy, Advocate.

For the Workmen—Shri S. Bose, Secretary, Rashtriya Colliery Madoor Sangh.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, dated, the 29th May, 1982

AWARD

By Order No. L-20012(198)/80-D.III(A) dated 27-1-1981, the Central Government being of opinion that an industrial dispute existed between the employers in relation to the management of Moonidih Project of M/s. Bharat Coking Coal Limited, Post Office Moonidih, District Dhanbad and their workmen in respect of the matter specified in the schedule attached to the order, referred the same for adjudication to this Tribunal.

The schedule attached to the order reads thus :—

"Whether the demand of the workmen of Moonidih Project of Messrs Bharat Coking Coal Limited, Post Office, Moonidih, District Dhanbad that Shri B. P. Sahu, Clerk, Personnel Section should be granted Clerical Grade-I with effect from the 13th November, 1975 is justified? If so, to what relief is the said workman entitled?"

2. After notice to the parties they have filed their respective written statements and rejoinders. It is not necessary to give in detail the respective cases pleaded by the parties in their written statements and rejoinders, as the case is a very simple one relating to the claim of the concerned workmen to be placed in Clerical Gr. I with effect from 13-11-1975

and can be disposed of on the basis of the documents filed and admitted by the parties formal proof whereof have been dispensed with. In course of bearing the union has not examined any witness nor has relied upon any documentary evidence although on behalf of the company only one witness as MW-1 has been examined and as many as 4 documents have been relied upon marked Exts. M-1 to M-4 which have been admitted into evidence formal proof thereof being dispensed with.

3. A reading of the order of reference clearly goes to show that the initial onus is upon the sponsoring union to establish justification of the demand. It is on account of this it is argued by learned counsel for the management that the onus being upon the union it must be held to have failed to justify its demand in the absence of any evidence either oral or documentary being led on its behalf. Certainly if neither party adduces evidence and no part of the union's claim is admitted by the management the union must fail. But in the present case management has not only examined one witness as stated earlier as MW-1 but has relied upon 4 documents, namely, Exts. M-1 to M-4. If the case of the union is established by the evidence led by the management merely because the union has not led any evidence its case cannot be dismissed. Onus which was initially on the union if found to have been discharged on the material placed before the Tribunal by the other side the union cannot lose.

In para 3 of the written statement of the union it is said that as the concerned workman is actually doing the job of Clerical Grade-I he should be given that grade. In para 4 of the written statement the union has said that although others doing the same type of work as is being done by the workman have been given Clerical Gr. I by the management, the workman has not been given that grade and is rotting in Clerical Gr. II. This treatment of the workman according to the union is discriminatory. These assertions of the union in its written statement have no doubt been denied in paras 3 and 4 of the company's rejoinder. In para 6 of its written statement the company has given the history of service of the concerned workman and according to this history the workman was originally a piece-rated workman. Thereafter he was taken in clerical Gr. III and lastly he was promoted to Gr. II. Ext. M-3 is an Office Order showing that the concerned workman alongwith 13 others have been promoted to Gr. II with effect from 14/17-10-1977 and in this document the name of the workman is shown in 11th position. So Mr. Murthy is right in saying that amongst 14 persons promoted under Ext. M-3 the position of the workman is 11th. Ext. M-1 is the promotion policy of the company. It also indicates the duties to be performed by clerks in different grades. This document lays down the procedure to be followed for promoting a clerk from one grade to the next higher grade. According to the policy laid down in Ext. M-1 promotion is made on the basis of seniority and satisfactory performance. Ext. M-1 also provides for a D.P.C. which has to recommend persons for promotion from one grade to another. Admittedly there is no proof that the concerned workman was ever considered for promotion from clerk Gr. II to Clerk Gr. I and was found unfit. It is well established that a promotion is not a matter of right for a workman. A workman can only have a grievance when he is not considered for promotion while others junior to him are considered and promoted. Such a case no doubt has not been pleaded by the union. According to promotion policy laid down in Ext. M-1 a clerk must put in service at least for 2 years in a particular grade before he becomes eligible for consideration for promotion to the next higher grade. Ext. M-3 shows that the concerned workman was promoted to Gr. II on 14/17-10-77. After completion of two years from 17-10-79 the workman becomes eligible for consideration for promotion to Gr. I. Management has not established that after completing two years in Gr. II the concerned workman was considered for promotion and was not found suitable. On the basis of Ext. M-3 it follows that the concerned workman became eligible for promotion with effect from 17-10-79. Ext. M-2 is a document filed by the management which shows the work performed by the concerned workman while in Gr. II. This document however does not show from which particular date the workman is performing the duties as mentioned in Ext. M-2. Mr. S. Bose on the basis of Ext. M-2 contends that the duties which the concerned workman is actually

discharging are the duties of a clerk in Gr. I. This assertion of Mr. Bose is denied by Mr. Murthy. As has been pointed out earlier Ext. M-1 which lays down the promotion policy of the company also indicates the duties to be performed by clerks in different grades. The duties of a Gr. II clerk as mentioned in Ext. M-1 are (1) Maintenance of files, (2) Maintenance of registers relating to leave, etc., (3) Receipt and despatch of letters, (4) Issue of stationaries, (5) Maintenance of service records, (6) Receipt of reports, returns and assisting in its tabulating and (7) Any other similar duties assigned by superiors from time to time. All these would go to show that the work to be performed by a clerk in Gr. II is of a routine nature, such as, maintenance of file, registers, service records etc. The duties of Gr. I clerk as mentioned in Ext. M-1 involve higher responsibility and are not of routine nature as in the case of Gr. II clerk. On comparison with the duties actually performed by the concerned workman as given in Ext. M-2 with the duties assigned to a clerk in Gr. II as mentioned in Ext. M-1 there can be no doubt that the work which the concerned workman is doing involve greater responsibility than the work assigned to a Gr. II clerk in Ext. M-1. Such being the position it cannot be said that the concerned workman is doing the work of a Gr. II Clerk. The averments made in paras 2, 3 and 4 of union's written statement clearly goes to show that the concerned workman is incharge of a Personal Section in the Project. Even though these assertions have been denied Ext. M-2 fully supports the union's case. As per Ext. M-2 the workman not only prepares manpower statistic but also sends monthly reports to Headquarters. He also maintains the registers of contract workers and sends reports to Headquarters. He prepares monthly industrial relation reports and sends the same to Headquarters. These duties mentioned in Ext. M-2 cannot be said to be of a mere routine nature and therefore cannot be the duties of a clerk in Gr. II. The necessary conclusion, as the claimed by the union, is that being incharge of the Personal Section of the management the workman actually does the work of a clerk in Gr. I. This is what is found on the very material produced by the management. But the fact remains that the workman is in Gr. II. Necessarily therefore there is a case for the workman. But as has been pointed out above a workman cannot claim promotion as a matter of right. Although he has always a claim to be considered for promotion if he is eligible. It has been observed earlier that the workman has completed two years of service in Gr. II and thereafter he has been doing the work which involve responsibilities higher than the work prescribed for a clerk in Gr. II as per Ext. M-1. As a matter of fact the workman is doing the work of a Gr. I clerk since after completion of two years of service in Gr. II. That doing so it is incumbent on the management which is actually taking the work of Gr. I clerk from the concerned workman after he put in two years of service in Gr. II to consider him for promotion to clerical Gr. I. The management therefore shall consider the case of the concerned workman for promotion to Gr. I with effect from the date he completed two years of service in Gr. II according to policy laid down in Ext. M-1 on the basis of material existing at the time when the workman completed two years of service in Gr. II and shall promote him to the next higher grade i.e. Gr. I if he is found suitable. As a matter of fact Mr. Bose appearing for the union concedes to this position and submits that the union will have no grievance if the management considers the case of the concerned workman for promotion to clerk Gr. I in the manner indicated above. There is no basis however for the union for its demand that the workman should be granted Gr. I with effect from 13-11-1975. Promotion not being a matter of right and an intended promotee being only entitled to be considered for promotion Mr. Bose is right in his concession. The management should consider the case of the concerned workman for promotion in the manner indicated within a period of two months from the date of publication of award and will promote him to Grade-I. If he is found fit as per the promotion policy of the management. The reference is answered accordingly. There will be no order or costs.

B. K. RAY, Presiding Officer
[No. L-20012(198)/80-D.III(A)]

S.O. 2264.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government

hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad in the industrial dispute between the employers in relation to the management of Mididih Colliery of Messrs Bharat Coking Coal Limited, Post Office Sijua, District Dhanbad and their workmen, which was received by the Central Government on the 2nd June, 1982.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2) DHANBAD.

Reference No. 29 of 1982.

In the matter of an industrial dispute under S. 10 (1) (d) of the I. D. Ac, 1947.

PARTIES :

Employers in relation to the management of Mudidih colliery of M/s. Bharat Coking Coal Ltd, Post Office Sijua, District Dhanbad and their workmen.

APPEARANCES :

On behalf of the employers : Shri G. Prasad, Advocate.

On behalf of the workman : Shri K. B. Sahai, concerned workman on behalf of Colliery Shramik Sangh.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, 28th May, 1982

AWARD

This is a reference under S. 10 of the I. D. Act, 1947. The Central Government by its order No. L-20012/(375)/81-D. III(A) dated 20th March, 1982 has referred this dispute to this Tribunal for adjudication on the following terms :

SCHEDULE

"Whether the demand of the workmen of Mudidih colliery of Messrs Bharat Coking Coal Limited, Post office Sijua, District Dhanbad for promotion of Shri K. B. Sahai, overman to technical Grade A from the date on which his junior first superseded him by the order of the management is justified ? If so, to what relief is the concerned workman entitled ?"

2. After the receipt of the reference notices were served upon the parties to file their written statements. On 27-5-82 both parties appeared through their authorised representative. As per the terms of settlement the concerned workman, Shri K. B. Sahai shall be promoted as senior overman w. e. f. 6-2-81 in technical grade A and he will be entitled to one additional increment of Rs. 35. The terms of settlement appears to be beneficial to both the parties and hence I accept the same. I pass the award in terms of the settlement. The settlement will form part of the award.

J. P. SINGH, Presiding Officer

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. II, DHANBAD

Ref. No. 29 of 1982

Management of Mudidih Colliery of M/s. Bharat Coking Coal Ltd.

AND

Its workman Shri K. B. Sahai, represented by Colliery Shramik Sangh.

JOINT PETITION FOR SETTLEMENT

The Petitioners abovenamed beg to submit as follows :—

(1) That the above issue was referred to Industrial Tribunal No. II, Dhanbad for adjudication which was numbered as reference no. 29 of 82. The Schedule of reference is as follows :—

"Whether the demand of the workmen of Mudidih Colliery of Messrs Bharat Coking Coal, Limited, Post Office Sijua, District Dhanbad for promotion of

Shri K. B. Sahai, Overman to Technical Grade "A" from the date on which his Junior first superseded him by the order of the management, is justified? If so, to what relief is the workman concerned entitled?"

(2) The above-named parties have discussed the dispute and have decided to mutually settle the same on the following terms and conditions :—

(A) That Shri K. B. Sahai shall be promoted as Sr. Overman with effect from 6-2-1981 in Tech. Grade 'A'.

(B) That, Shri K. B. Sahai shall be further granted one additional increment of Rs. 35 with effect from 1-1-80 for having passed Diploma in Mines and Mine Surveying.

(C) This settles all the disputes whatsoever.

It is, therefore, prayed that Hon'ble Tribunal may be graciously pleased to pass the Award accordingly.

And, for which the Petitioners shall ever pray.

For Workman

Sd/-Illegible

For Employer

Sd/- Illegible

[No. L-20012 (375)/81-D. III(A)]

S.O. 2265.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad in the industrial dispute between the employers in relation to the management of Mudidih Colliery of Messrs Bharat Coking Limited, Post Office Sijua, District Dhanbad and their workmen, which was received by the Central Government on the 2nd June, 1982.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2) DHANBAD.

Reference No. 18 of 1982

In the matter of an industrial dispute under S. 10 (1) (d) of the I. D. Act, 1947.

PARTIES :

Employers in relation to the management of Mudidih colliery of Messrs Bharat Coking Coal Limited. Post Office Sijua, District Dhanbad and their workmen.

APPEARANCES :

On behalf of the employers : Shri S. N. Basu, Advocate.

On behalf of the workmen : Shri B. B. Pandey, Advocate.

STATE : Bihar.

INDUSTRY : Coal

Dhanbad, 27th May, 1982

AWARD

This is a reference under S. 10 of the I. D. Act, 1947. The Central Government by its order No. L-20012/350/81-D. III(A) dated 16-2-1982 has referred this dispute to this Tribunal for adjudication on the following terms :

SCHEDULE

1. Whether the action of the management of M/s. Bharat Coking Coal Limited in transferring Shri Rajendra Pasi, Pump Khalasi, Mudidih colliery to Amlabad colliery about 30 kms. away was justified ?

2. Whether the action of the management of M/s. Bharat Coking Coal Limited at Amlabad colliery in not allowing Shri Rajendra Pasi, Pump khalasi to resume duty on transfer from Mudidih was justified ?

3. If not, to what relief is the workman concerned entitled and from what date ?

2. Soon after the receipt of the reference notices were served upon the parties to file their written statement. But today both

parties appeared through their authorised representatives and filed a settlement in terms of which Shri Rajendra Pasi, the concerned workman will be reinstated with immediate effect as Pump Khalasi at Jogta Fire Project and he will also be paid an amount of Rs. 5,018.94 as ex-gratia with continuity of service. Since the settlement is beneficial to both the parties, I accept the same. Accordingly I pass the award in terms of the settlement. The settlement will form part of the award.

J. P. SINGH, Presiding Officer

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. II DHANBAD

Ref. No. 18 of 1982

PARTIES :

Employers in relation to the management of Mudidih colliery of M/s. BCCL, P. O. Sijua, Dist. Dhanbad.

AND

Their workmen

The parties abovenamed have to submit jointly as under :—

(1) That the dispute has been discussed mutually and has been settled amicably on the following terms :—

(a) That Sri Rajendra Pasi, Pump Khalasi of Mudidih colliery will be reinstated with immediate effect as Pump Khalasi at Jogta Fire Project with continuity of service.

(b) That the intervening period shall treated as dies non-However a sum of Rs. 5,018.94 (Rupees five thousand eighteen & paise ninety-four (@ 60 per cent of his total wages) shall be paid as ex-gratia to Sri Rajendra Pasi in lieu of wages etc. that would have been due to him. He is also entitled for Quarterly Bonus, leave & sick for the period of his idleness.

(c) The parties agreed that the terms of settlement mentioned hereinabove are fair and that the same settle the dispute in all respect fully and finally.

(d) That it is prayed that award may kindly be passed in terms of the aforesaid settlement.

Union/Workman

Witnesses :—

(1) Sd/- Illegible

(2) Sd/- Illegible.

Dated:

Management of Mudidih colly.

Sd/-Illegible

[No. L-20012 (350)/81-D.III (A)]

S.O. 2266.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Dhanbad in the industrial dispute between the employees in relation to the management of Chasnalla Colliery of Messrs Indian Iron & Steel Company Limited, Post Office Chasnalla, District Dhanbad and their workmen, which was received by the Central Government on the 2nd June, 1982.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 1, DHANBAD.

Is the matter of a reference under Sec. 10(1)(d) of I.D. Act.

Reference No. 42 of 1981.

PARTIES

Employers in relation to the management of Chasnalla
Colliery of Messrs Indian Iron and Steel Company Limited,
Post Office Chasnalla, District Dhanbad.

AND

Their Workmen.

APPEARANCES:

For the Employers Shri T.P. Choudhury, Advocate.
For the Workmen Shri D. Mukherjee, Secretary,
Bihar Colliery Kamgar Union.

STATE : BIHAR

INDUSTRY : Coal

Dhanbad, the 27th May, 1982

AWARD

By Order No. L-20912/138/81-DIII(A) dated 28-7-1981 the Central Government being of opinion that an industrial dispute existed between the employers in relation to the management of Chasnalla Colliery of Messrs Indian Iron and Steel Company Limited, Post Office Chasnalla, District Dhanbad and their workmen in respect of the matter specified in the schedule attached to the order, referred the same for adjudication to this Tribunal.

The schedule alongwith Annexure attached to the order of reference reads thus.

'Whether the demand of the workmen of Chasnalla Colliery of Messrs Indian Iron and Steel Company Limited Post Office Chasnalla, District Dhanbad that the 47 workmen (mentioned in Annexure) should be placed in Technical Grade 'B' with retrospective effect is justified? If so, to what relief are the concerned workmen entitled?'

ANNEXURE

Sl. No.	Name	Designation	Date of Posting
1	2	3	4
1.	S.N. Singh	Dozer Operator	21-5-79
2.	A. Singh	"	"
3.	Rahman Khan	"	"
4.	Raghubir Singh	"	"
5.	Washt Ahmed	"	"
6.	Ramnaresh Pandit	"	"
7.	Suresh Singh	"	"
8.	Biren Mahato	Dumper Operator	4-8-79
9.	Abzal Ansari	"	12-1-80
10.	Mukteshwar Mahato	"	4-8-79
11.	Md. Javed	"	14-1-80
12.	Joginder Singh	"	27-6-79
13.	Nimai Mahato	"	23-6-79
14.	Sudama	"	27-8-80
15.	Surajit Singh	"	27-7-80
16.	Pran Bahadur Gurang	"	14-9-80
17.	Baldeb Singh	"	21-2-80
18.	Gulam Rasool	"	23-7-79
19.	Ramchandra Paswan	"	6-3-80

1	2	3	4
20.	Khem Bahadur	Dumper operators	14-9-80
21.	Amrit Mia	"	"
22.	Prahalad Gorai	"	"
23.	Md. Maksud	"	6-3-80
24.	M.D. Misarat	"	"
25.	Chhotan Mahato	"	"
26.	Patal Mahato	"	"
27.	M.D. Isbaque	"	23-1-80
28.	Nasimuddin	"	6-3-80
29.	Bhola Singh	"	12-3-80
30.	Kinkar Mahato	"	6-3-80
31.	Sh. trughan Mahato	"	23-6-79
32.	T.P. Sro	"	18-4-80
33.	Adhar Chandra Mandal	"	14-1-80
34.	B.L. Pashl	"	13-8-79
35.	Nanu Lal	"	"
36.	Nathu Mahato	"	6-3-79
37.	K. Reddy	Pay Loader	4-8-79
38.	Rajendar Pd. Meshri	"	23-1-80
39.	Kishori	"	"
40.	Renu Naidu	"	"
41.	R.K. Munaswamy	Drill Operator	23-6-79
42.	P. Gandhi	"	"
43.	K.P. Prasad	"	21-12-79
44.	Mastan	"	23-6-79
45.	S.K. Naidu	"	4-9-79
46.	M. Subasmari	"	4-9-79
47.	O.K. Gordru	"	23-6-79."

2. After notice to the parties they have filed their respective written statements and rejoinders.

The case of the union as made out in its pleading is as follows: The workmen mentioned in the schedule attached to the order of reference were working in various capacities under the company till they joined as Dumper Operators, Dozer Operators, Pay Loader Operators and Drill Operators. Prior to their joining the new posts and their permanent absorption in those posts they had received training in the respective trades. In the month of March 1979 the management issued a circular that Dumper Operators, Dozer Operators, Pay Loader Operators, Drill Operators will be placed in Tech. Grade B as per the Wage Board recommendations. Attracted by the said internal circular the concerned workmen took their training in different trades and were ultimately absorbed in the aforesaid posts. In spite of the aforesaid internal circular the management refused to put them in Tech. Gr. B. In other neighbouring collieries of M/s. Bharat Coking Coal Ltd. Dumper Operators, Dozer Operators, Pay Loader Operators and Drill Operators have been placed in Tech. Grade B. The work performed by the concerned workmen in the posts mentioned above is more strenuous and hazardous than the work performed by their counterparts in M/s. B.C.C.L. Refusal of the management therefore to give the concerned workmen Tech. Gr. B amounts to unfair labour practice. As the workmen concerned are active members of B.C.K.U. the management is biased against them and so with an ulterior motive to victimise them have placed them in Gr. D instead of in Gr. B. On account of the aforesaid illegal act of the management the concerned workmen made several repeated demands before the management for their placement in Gr. B. As the management did not concede to the demands the workmen through their union raised the dispute before the A.L.C.(C), Dhanbad which having ended in failure the present dispute has been referred to this Tribunal for adjudication. The workmen should be placed in Gr. B with retrospective effect from their date of appointment as their placement in Tech. Gr. D by the management is illegal, arbitrary and unjustified. In these circumstances it is prayed that the reference be answered in favour of the union.

The case of the management as made out in its pleading may be briefly stated thus. The reference is illegal and incompetent inasmuch as it is against the specific provisions of a valid settlement which is still in force having not been terminated in accordance with law. The work done by the concerned workmen relates to excavation section. For the workmen in Excavation Sec., originally there was no job description and no specific pay scale. So the workmen in Excavation Sec. under N.C.D.C. raised a dispute in 1961 which was referred to Tribunal No. 1, Dhanbad. Tribunal No. 1 in its award indicated the job description of each category of workman and their wage in the Excavation Section. The job description and wage scale indicated in the award were incorporated in the Wage Board recommendations which came into effect from 15-8-67. Thereafter NCWA-I came into force with effect from 1-1-75 which while maintaining the job description of the workmen in the Excavation Section substantially raised their wage. After expiry of the period for NCWA-I NCWA-II came into force with effect from 1-1-79 which while retaining the old job descriptions for the workmen in Excavation Section raised their wage. The agreement made provisions for settlement of any dispute regarding wages which would subsequently arise by a Standardised Committee appointed by JBCCI constituted under the agreement. The matter of grades and wages of all the workmen engaged in Excavation Section was referred to the JBCCI which in its turn referred the matter to the Standardised Committee. The recommendation of the Standardised Committee was accepted by JBCCI. After the disaster in Chasnalla Colliery it became imperative for the management to develop its Excavation Section. But as heavy machineries required for the purpose were not readily available with the management such machineries were taken on hire by the management from other companies to develop the Excavation Section. This hiring process continued till March, 1980 whereafter the management got its own machineries. After the company got its own machineries the management decided to recruit workers to operate those machineries from amongst its own workers working in other Sections. Accordingly a circular was issued for recruitment of different operators for these machineries. Due to an inadvertent typing mistake in the circular issued by the management for recruitment of operators for the heavy machinery in Excavation Section, the grade in the circular was shown as Gr. B for different Operators. The real grade in the circular should have been Gr. D. The concerned workmen who were selected as operators in pursuance to the circular not having the necessary experience or qualification to be placed in Gr. B cannot be given that grade till they satisfy the conditions laid down for such a grade. The grades given to the concerned workman after they were appointed to different posts of operators in pursuance to the aforesaid circular was strictly in accordance with the decision of JBCCI. The wage structure as well as the grades and the job descriptions for the employees working in Excavation Section having been fixed under NCWA-II which is a settlement under Sec. 2(n) of I.D. Act. the concerned workmen cannot legitimately be entitled to the claim made by them in the reference. On these allegations the management prays that the reference be answered against the union.

3. At the time of hearing each side has examined one witness. MW-1 the witness for the management is the Dy. Personnel Manager at Chasnalla. The witness examined by the union as WW-1 is one of the concerned workmen in the case. Besides the aforesaid oral evidence management has relied upon three documents, namely, Exts. M-1, the job description by JBCCI, Ext. M-2 service details of the concerned workmen and Ext. M-3 a circular dated 24-7-79. The union on its side has relied on as many as seven documents of which Ext. W-1 is the circular dated 13-3-79 under which management invited applications from its employees for recruitment to posts of operators of heavy machineries working in Excavation Section. Exts. W-2, W-3 and W-4 are photostat copies of some letters showing that operators in the excavation section of B.C.C.L. have been placed in Gr. 'B', Exts W-5 and W-6 are the demand of the union before the A.L.C. regarding the present dispute and the reply of the management to the said demand respectively and Ext. W-7 is a letter of appointment of one of the concerned workmen showing that he has been found suitable for the post of Dozer/Pay Loader Operator.

4. The case of the union is a very simple one. According to this case in the early part of 1979 the company acquired heavy machines for developing work in Excavation Section and to operate these machines wanted to recruit workmen from amongst its own workers. For that purpose the management issued an internal circular Ext. W-1 on 13-3-79 inviting applications with full biodata from the existing employees of the colliery for operating earth moving equipments in Chasnalla and Ramnagore Open Cast Mines within ten days of the issue of the notice. This circular specifically mentions that Dumper Operators, Dozer Operators and Drill Operators would be placed in Gr. 'B'. It may be mentioned here that the post of a pay loader operator has not been mentioned specifically in the circular but Ext. W-7 which is a letter appointing one of the concerned workmen says that he has been found suitable for the post of Dozer/Pay Loader Operator. Thus it is clear that a pay loader operator when recruited in pursuance to circular Ext. W-1 has to be placed in Gr. 'B'. The case of the union is that all the concerned workmen in the case applied for posts of Dumper Operators, Dozer Operators, Drill Operators and Pay Loader Operators. This is also not denied by the management. It is also not disputed that at the time of their application all the concerned workmen were in Cat./Grades much lower than Gr. B as mentioned in Ext. W-1. The applicants after filing their applications as per Ext. W-1 underwent training imparted to them at the cost of the management and on the successful completion of their training workmen named in Sl. Nos. 1 to 7 of the Annexure attached to the order in the order of reference were posted as Dozer Operators, the workmen named in Sl. Nos. 8 to 36 were appointed as Dumper Operators, workmen named in Sl. Nos. 37 to 40 were appointed as pay loaders and workmen mentioned in Sl. Nos. 41 to 47 were appointed as Drill Operators. The claim of the union is that on their appointment to the different posts as mentioned in the schedule to the order of reference in pursuance to the commitment made by the management in its circular Ext. W-1 they should have been placed in Tech. Grade B and not in Tech. Grade D as has been done by the management. The question for determination therefore is as to whether the workmen concerned are entitled to Tech. Gr. B or to Tech. Gr. D in which they have been placed by the management. The stand of the management is that according to the job description given in the recommendation of the Wage Board, according to the award of the Tribunal No. 1 and according to the deposition of JBCCI for the nature of work actually done by the concerned workmen they are only entitled to Tech. Gr. D which has already been given to them. The further stand of the management so far as the circular Ext. W-1 is concerned is that Tech. Gr. B was inadvertently mentioned in the said circular and the word "Grade B" appearing in the circular should be read as "Grade D". The words "Gr. B" mentioned in Ext. W-1 being a mistake for the words "Gr. D" the union cannot take advantage of the mistake and claim Grade B contrary to the recommendation of the Wage Board to the award of the Tribunal No. 1 and to the decision of JBCCI. Mr. T. P. Choudhury learned counsel for the management fairly concedes that in spite of the recommendations of the Wage Board giving the job description, grades and wage scale for the employees operating heavy machines in Excavation section and in spite of the decision of JBCCI it is always open to the management to agree to a higher wage scale and a higher grade for the same job as mentioned either in the Wage Board recommendations or in the award of the Tribunal or in the decision of JBCCI. In this view therefore it cannot be said that the circular Ext. W-1 issued by the management for recruitment of workmen to the posts of Dumper Operators, Dozer Operators, Drill Operators and Pay Loader Operators in a higher Grade as mentioned in it is illegal. Therefore unless the case of the management that "Grade B" as mentioned in the circular Ext. W-1 is a mistake for "Grade D" is established the workmen concerned are bound to be placed in Grade B once they have been recruited after successful completion of training and have been substantively posted in the posts held by them. In support of the plea of mistake as pleaded by the management it relies upon the evidence of MW-1 who is the Dy. Personnel Manager posted at Chasnalla. The witness says that after Chasnalla disaster in the year 1975 in order to extend production company started working H.K. Quarry by mechanical process. As at that time the company had not got its own heavy machines it hired the same from other companies to work

the quarry. In 1979 only the company acquired its own heavy machines and issued an internal circular for recruitment of personnel for these heavy machines in Ext. W-1. The witness however admits that he was not present when the circular Ext. W-1 was drafted. According to him Mr. P. K. Bhandari, Sr. Personnel Officer drafted the circular. The circular as has already been mentioned was issued in March, 1979. The witness joined Chasnalla in October, 1980. Therefore this witness has no personal knowledge as to whether Grade B in circular Ext. W-1 was mentioned by mistake. The witness admits that when a dispute was raised by the workmen he saw the circular and felt that Grade B mentioned therein was a mistake for Grade D. Thereafter according to the witness he put up a note and the then Chief Mining Engineer passed a final order saying that Grade B appearing in Ext. W-1 was really a mistake for Grade D. Such an order has not been produced by the management in course of hearing. The witness admits that no circular was issued rectifying the mistake. Such being the position it cannot be said that management has established its case that Grade B as mentioned in Ext. W-1 is a mistake for Grade D. To meet this position Mr. Choudhury for the management after closure of the evidence and on the date of argument has filed a circular Ext. M-3 dated 24-7-79 which reads thus—

"Applications are invited from the existing employees of IISCO Collieries Complex for the following post :—

Name of the Deptt. : Earth Moving Equipment

Name of the post : Dumper Operator Trainee

Age : Between 20 to 30 years

Qualification : Literate.

They will be absorbed against the vacancy of Dumper Operators on their successful completion of the training and after obtaining heavy vehicle driving licence from the Government authorities in the prescribed pay scale under Coal Wage Board Award.

Applications should reach to the undersigned through proper channel giving the following particulars latest by 4th August, 1979.

- (1) Name
- (2) P. No.
- (3) Department
- (4) Designation
- (5) Age
- (6) Qualification
- (7) Experience etc."

This circular clearly shows that persons who will be absorbed in the post of the Dumper Operators on their successful completion of training and after obtaining heavy vehicle driving licence from Government authorities will be paid in prescribed pay scale under Coal Wage Board Award. On the basis of this document it is argued that Grade B appearing in the previous circular Ext. W-1 dated 17-3-79 is a mistake for Grade D. I am afraid such contention cannot be accepted. If really the management intended to rectify the mistake in its earlier circular Ext. W-1 dated 17-3-79 it would have certainly made a reference to it in the second circular dated 24-7-79 Ext. M-3. Absence of any reference to the earlier circular in Ext. M-3 clearly goes to show that the management deliberately mentioned Grade B in the earlier circular Ext. W-1 and not by mistake. The circular Ext. W-1 is a representation by the management to its workmen that those who would be recruited as Dumper Operators, Dozer Operators, Pay Loader and Drill Operators in pursuance to the circular would be placed in Grade B. In response to this representation the workmen applied, were selected and after completion of their training were substantively appointed to the posts. That being so the management cannot now turn round and say that they would be placed in Grade D only. It is then argued by Mr. Choudhury that those of the concerned workers who have been selected as

Dumper Operators after the issue of the subsequent circular Ext. M-3 dated 24-7-79 have to be placed in Grade D as per Wage Board recommendations because the circular has clearly mentioned that the recruits after successful completion of their training will be placed in Grade D. Therefore workers recruited after the subsequent circular Ext. M-3 cannot claim Grade B alongwith those workers who have been appointed prior to the subsequent circular in pursuance to the earlier circular Ext. W-1. It is admitted by the parties in course of hearing that all the Dumper Operators except in Sl. Nos. 12, 13, 18, 31 and 36 have been appointed after 24-7-79 i.e. after issue of the second circular Ext. M-3. Therefore these Dumper Operators appointed after issue of the later circular Ext. W-3 according to Mr. Choudhury will not be entitled to Grade B as claimed by the union. But this position as contended by the management is not admitted by the union. It is argued by Mr. D. Mukherjee for the union that once the Dumper Operators appointed prior to Ext. W-3 are placed in Grade B it will be unjust if the Dumper Operators appointed after Ext. W-3 are placed in Grade D because for the same nature of work there cannot be two unequal pay scales. This contention of Mr. Mukherjee is bound to prevail. Reference in this connection may be made to Exis. W-2, W-3 and W-4 which show that the workmen doing the same nature of work as done by the workmen in the present case have been placed in Grade B by M/s. B.C.C.I. So even assuming that some of the Dumper Operators were recruited after the second circular Ext. W-3 which position is not admitted by the union, they cannot be denied Grade B to which their counterparts appointed earlier are entitled on the principle of equal pay for equal work. But so far as the workmen appointed prior to Ext. W-3 are concerned I have already held that the management having appointed them under a representation that they would be placed in Grade B they cannot be deprived of that grade merely because under Wage Board Recommendations and NCWA-II workman doing the same nature of job as done by the concerned workmen here are in Grade D. Another controversy has been raised by Mr. Choudhury that the date of posting for each individual workman concerned in this case as mentioned in the schedule attached to the order of reference is not correct because under the circular Ext. W-1 after workmen were selected they had to undergo training and after successful completion of training they were appointed. The dates mentioned in the schedule represent the dates of recruitment for training and not dates of promotion. Therefore according to Mr. Choudhury the workmen who are entitled to Grade B should be given that grade if at all from the dates of their substantive joining their posts and not from the dates when they were selected for training. Mr. D. Mukherjee for the union concedes to this point and says that the union will have no objection if the concerned workmen mentioned in the schedule attached to the order of reference be held to be entitled to Grade B from the dates when they are appointed to their respective posts. The last point urged by Mr. Choudhury is that the concerned workmen in this case were raw hands before they were recruited for training. The nature of work required for workmen placed in Grade B requires greater skill and experience than what is possessed by the workmen in this case. That being so by no stretch of imagination the concerned workmen can claim Grade B. This point argued by Mr. Choudhury has no substance in view of the admission of management's witness MW-1 to the following effect—"The quarry being mechanised we have only to appoint skilled operators. It is not a fact that those operators were raw hands and after appointment we get them three months training to acquire skill of operator. All the Dumper Operators, Dozer Operators and Drill Operators were experienced and skilled and holding licence at the time of their appointment." Obviously the aforesaid evidence of the witness refers to the Dumper Operators and Dozer Operators working in the quarry of the IISCO. It is also admitted that after recruitment the concerned workmen were given training and they on successful completion of their training were substantively posted to different posts of operators. That being so the argument of Mr. T. P. Choudhury that the concerned workmen not having the skill and efficiency of a workman in Grade B cannot be given that grade fails. According to witness MW-1 all these operators were experienced and skilled and held licence at the time of their appointment.

In the result, therefore I hold that the concerned workmen are entitled to Tech. Grade 'B' with retrospective effect from the dates of their appointment to the posts of Dumper Operators, Dozer Operators, Pay Loaders and Drill Operators. The reference is answered accordingly. In the circumstances parties to bear own costs.

B. K. RAY, Presiding Officer
[No. L-20012(138)/81-D.III(A)]

S.O. 2267.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Dhanbad in the industrial dispute between the employers in relation to the management of Sudamdih Shaft Mine of Messrs Bharat Coking Coal Limited, Post Office Sudamdih, District Dhanbad and their workmen, which was received by the Central Government on the 2nd June, 1982.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under Sec. 10(1)(d) of I.D. Act
Reference No. 16 of 1981

[Ministry's Order No. 1-20012(257)/80-D.III(A)
Dt. 14-4-81]

PARTIES:

Employers in relation to the management of Sudamdih Shaft Mine of Messrs Bharat Coking Coal Limited
Post Office Sudamdih, District Dhanbad

AND

Their Workmen

APPEARANCES:

For the Employers—Shri T. P. Choudhury, Advocate

For the Workmen—Shri S. Pal, Advocate.

STATE: Bihar **INDUSTRY:** Coal.

Dhanbad, dated, the 28th May, 1982

AWARD

This reference is bound to be answered against the union for the reasons given below. The reference is dated 4th April, 1981. The dispute referred for adjudication in the case is as to whether the action of the management of Sudamdih Shaft Mine of M/s. Bharat Coking Coal Limited, Sudamdih, District Dhanbad in keeping Sri Bhusan Chandra Mahato and 12 others compressor operators named in Annexure attached to the order of reference in Cat. IV even after 1st May, 1972 is justified. Admittedly all the workmen in this case have been working as compressor operators being placed in Cat. IV long before the date of reference. Their case as per their pleading is that in terms of settlement of the year 1969 a compressor operator is required to operate one compressor of 8.9 cm/minute capacity and if a compressor operator operates more than one compressor of higher capacity he shall get higher category. The concerned workmen are operating compressors of 14 cm/per minute and 22 cm/per minute capacity. Besides operating compressors of higher capacity they are also being utilised in extra jobs namely in operation of valves and in suppression of air for different sections in the underground which extends upto a distance of 200 metres from the compressor house. They are also being utilised for operating OCB Switches during power trips. Thus the work done by the concerned workmen involve higher responsibilities than what is normally expected of a compressor operator operating a lower capacity compressor. According to settlement arrived at between management representing by Shri S. K. Singh, the then Dy. Personnel Manager (CJ) and Shri S. P. Roy, Joint General Secretary, Rashtriya Colliery Mazdoor Sangh, fixation of designation and grade has to be done in consideration of the responsibility shouldered by the concerned workmen. The concerned workmen are being arbitrarily compelled to work even upto 7 compressors at a time. When the concerned workmen protested against such illegal and arbitrary

action of the management the latter instead of setting things right, resorted to victimise. The 13 compressor operators are working in three shifts to run 7 compressors. It is practically not possible for a single compressor operator to run 7 compressors at a time. Compressors of the type actually operated by the concerned workmen being of high capacity one compressor operator can at best operate two compressors provided they are of low capacity. The settlement of the year 1969 is not in respect of compressors of 14 cm/minute or 22 cm/minute. During the pendency of the dispute management removed the compressors with 8.9 cm/minute capacity. The log book between 1965 to 1969 show that a single operator works 3 compressors of 22 cm/minute capacity. One Sahadeo Singh a compressor operator belonging to the sponsoring union was asked to operate 7 compressors in first shift of 16th April, 1980 and when Sri Singh refused to operate them by way of protest a chargesheet was drawn against him in April, 1980. The Oil circuit brake switch is operated by specially skilled operators. The concerned workmen are asked to operate OCB Switches without giving them any special allowance. The concerned workmen are entitled to charge allowance which is not paid to them. The concerned workmen are also to furnish reports regarding the compressors operated by them for which they are entitled to allowance. That also is not being paid. The concerned workmen are entitled to be placed in Cat. VI in view of the nature of duties performed by them and accordingly they are entitled to difference of wages at least from 1st May, 1972 till date. On these allegations the union claims that the concerned workmen are entitled to difference of wages between Cat. IV and Cat. VI with effect from 1st May, 1972.

2. The case of the management may be briefly stated thus. The reference is ab initio void and without jurisdiction. There is no union named Colliery Mazdoor Sabha of India functioning at Sudamdih. No doubt there is a union known as Colliery Mazdoor Sabha of India which have its Headquarters at Samsol in the State of West Bengal and it has hardly any member so far as the Sudamdih Shaft Mine is concerned. The union as such therefore is not competent to raise any dispute, much less, an industrial dispute. Sri Bhusan Chandra Mahato at first described himself to be Joint Secretary of the union at Sudamdih. He subsequently styled himself as Secretary. The Branch union of Sudamdih informed the management that Bhusan Chandra Mahato was an Asstt. Secretary. As an Asstt. Secretary he is not an office bearer of the union either within the meaning of Industrial Disputes Central Rules or under the Trade Union, Act. So a dispute raised by such a person cannot legally constitute an industrial dispute. In spite of this fact the Conciliation Officer illegally entered into a conciliation proceeding and recommended a reference. There was an overall settlement in course of conciliation proceeding before the R.L.C. between the management of Sudamdih Shaft Mine which was owned by N.C.D.C. on 14th November, 1969. In this settlement the management was represented by the General Manager of Area who is now Chairman of M/s. B.C.C.L. as well as by CPO of NCDC, while the union was represented by three top leaders of the Colliery Mazdoor Sangh namely S/Shri Bindeswari Dubey, Damador Pandey and S. Dasgupta. The settlement covers a number of items including the case of compressor operators. The demand of the union in course of the negotiation in the conciliation proceeding was that the compressor operators should be placed in the next higher category if they are operating more than one compressor simultaneously. This demand was conceded by the management and was incorporated in the settlement. According to this a compressor operator operating two or more compressors simultaneously would be given one category higher provided the compressor is not less than 8.9 cm/minute capacity. It is thus clear that two or more compressors can be simultaneously operated by one operator. The minimum capacity of each compressor has been mentioned in the settlement to be not less than 8.9 cm/minute. According to this settlement the compressor operators posted at Sudamdih are getting one higher category namely Cat. IV. During conciliation proceeding resulting in the settlement an attempt was made by the union that the compressor operators were doing some extra jobs like putting the switch on etc. These jobs cannot be said to be extra jobs for a compressor operator. These jobs are very much incidental to functioning of a compressor. The settlement of the year 1969 being still in force and having not been terminated in accordance with law it is not open to the union to raise the present dispute. On these allegations the

management prays that the reference be answered against the union.

3. In course of hearing two witnesses have been examined by the management one of which namely, MW-1 is at present an Executive Engineer in Sudamdih Colliery. He has been working at Sudamdih Colliery since 1966. The witness deposes as follows. There are ten compressors in Sudamdih. The capacity of these compressors varies from 14 cm/minute to 22 cm/minute. Generally 8 to 9 compressors working in the colliery and they operate compressors in shifts. There are 16 compressor operators, 5 operators work in one shift. An extra compressor operator is maintained to relieve a regular operator if necessary. The duties of an operator is to check the lubricating oil, to check the flow of pulling water, to start the motor and to open the valve to deliver the air. An operator is to keep constant watch over the entire machine and when there is tipping the operator closes the valve and when power comes he has to start the machine again. The witness admits in cross-examination that he does not know in what category 16 compressor operators were placed prior to 1969. Obviously it means that since 1969 the compressor operators have been placed in Cat. IV. Although this witness has been subjected to searching cross-examination nothing has been elicited from him to throw doubt upon his evidence in chief. The other witness for the management is MW-2 Personnel Manager of Sudamdih Area since 1980. Before he became Personnel Manager he was in the same area as Dy. Personnel Manager, Senior Personnel Manager and Labour Officer between 1970 and 1980. The witness emphatically says that after the settlement of 1969 Ext. M-1 there has been no other settlement between the management and the sponsoring union and that in no such settlement he ever took any part. According to this witness there is no excavation section in Sudamdih Colliery and after the settlement of 1969 (Ext. M-1) was arrived at the same was immediately implemented. The evidence of his witness therefore goes to show that there was a settlement in the year 1969 as per Ext. M-1, which was immediately implemented and that there was no other settlement besides Ext. M-1. The only witness WW-1 examined by the union is one of the 13 concerned workmen. He says that all the compressor operators are placed in Cat. IV since they started working as such and that under the settlement of 1969 they were entitled of a category higher than the category in which they were already before the settlement. According to him immediately prior to the settlement each of the compressors owned and possessed by the company had a capacity of 8.9 cm/minute and higher capacity compressors were introduced after settlement. Besides operating a compressor according to WW-1 he discharges water, attends to OCB Switches, operates the same, operates the valve. These works the witness says are not within the normal duty of a compressor operator. In addition to all the alleged extra work done by a compressor operator as per the evidence of WW-1 a compressor operator has to put lubricating oil into the machine, has to maintain a log book and has to submit report. These works are as per the evidence of WW-1 are not included within the normal work of a compressor operator.

4. From the pleading of the respective parties and the evidence led by them it is manifest that both parties agree that there was a full-fledged settlement Ext. M-1 in course of conciliation proceeding. In this settlement the category in which a compressor operator has to be placed was fixed. Prior to the settlement under the recommendation of Wage Board a compressor operator is in Cat. III. Duties of a compressor operator as per the recommendations of the Wage Board are that he is to remain incharge of the compressor, he has to switch on the motor driving the machine, he has to lubricate the machine and has to attend to the air pressure and relief valves. The job description of a compressor operator as given in Wage Board recommendations goes to show that the operator has to remain incharge of machine, has to switch on the motor driving the machine i.e. has to operate the switches, has to attend to the air pressure and relief valves which means that he has to operate the valves and lastly he has to lubricate the machine. If the job description of a compressor operator as given in the Wage Board is read alongwith the evidence of WW-1 it is found that the work which WW-1 claims to be doing as compressor operator is almost of the same nature as is given

in the Wage Board recommendation. The only extra work which a compressor operator has to do as deposed by WW-1 is that he has to maintain a log book and to send a report. I do not think this extra work would entitle a compressor operator to any extra remuneration because as per the Wage Board recommendations he being incharge of a compressor and his duty being to operate the machine, maintenance of log book by him and submission of reports would normally come within the purview of his duty as given in the Wage Board recommendations. It thus follows that a compressor operator prior to the settlement of 1969 Ext. M-1 was in Cat. III and was required to perform the duties as given in the recommendations in the Wage Board. Sometime before the settlement of 1969 when it was found that a compressor operator had to operate more than one machine at a time there was a demand by the workmen that a compressor operator should be given a higher category. It was this demand which led to a conciliation proceeding and ultimately resulted in the settlement in the year 1969 Ext. M-1. In para 36 of Ext. M-1 it has been specifically stated that a compressor operator should be placed in the next higher category if they have to operate more than one compressor simultaneously and that the compressor operators operating 2 or more compressors simultaneously will be given one category higher provided each compressor is not less than 8.9 cm/minute capacity. This settlement is admitted by the parties and there is no dispute that this settlement is still in force. According to the management the concerned compressor operators were in Cat. III at the time when negotiations was going on for the settlement. So therefore under para 36 of the settlement the compressor operators are entitled to the next higher category in which they were originally i.e. to Cat. IV. It is further the case of the management that this provision in the settlement has been implemented and the concerned compressor operators have already been given Cat. IV. According to the union concerned compressor operators were in Cat. IV at the time when negotiation for the settlement was going on and so as per the provisions contained in para 36 of Ext. M-1 they were to be placed in Cat. V. Such a case by the union is wholly unacceptable. It is not disputed that recommendations of Wage Board were implemented by the management with effect from 1967. That being so it has to be accepted that the compressor operators as per the recommendations of the Wage Board were placed in Cat. III. The evidence of WW-1 who is one of the concerned workmen himself and therefore is interested in the union's case is to the effect that the compressor operators were in Cat. IV by the time the settlement was arrived. This uncorroborated testimony of WW-1 cannot be accepted. If that were so para 36 of Ext. M-1 would have clearly mentioned it. On the other hand the said para only says that compressor operators should be placed in next higher category if they operate more than one compressor simultaneously. The words "higher category" mentioned in para 36 have been used with reference to the category in which a compressor operator has been placed under Wage Board recommendations. This being the reasonable interpretation given to para 36 of the settlement there is no scope for accepting the evidence of WW-1 when he says that the compressor operators were already in Cat. IV by the time when the settlement was arrived at. No documentary evidence has been produced by the union to support the story of WW-1. So I do not accept the evidence that compressor operators in the present case were already in Cat. IV by the time the settlement was arrived at and I hold that they were only in Cat. III at the time of the settlement. The settlement says that when a compressor operator operates 2 or more compressor machines not having a capacity of less than 8.9 cm/minute he is to be placed in a higher category than what has been provided for him in the Wage Board recommendations. It is the case of both parties that each of the compressor operators is operating more than one compressor machine and the machines operated by compressor operators varies in their capacity from 14 cm/minute to 22 cm/minute. The aforesaid provision in the settlement clearly says that a compressor operator is entitled to a higher category if he operates more than one compressor machine having capacity not less than 8.9 cm/minute. So according to the settlement a compressor operator operating more than one compressor simultaneously each having capacity of more than 9 cm/minute is to be placed in Cat. IV. The evidence led by the parties in this case goes to show that each of the concerned compressor operators is operating more than one compressor machines whose capacity varies from 14 cm/minute to 22 cm/minute. Therefore under the settlement he is only entitled to category IV.

The fact that the compressor operators are in Cat. IV is not disputed. In view of the fact that the settlement Ext. M-1 is a full-fledged settlement as defined in Sec. 2(p) of I.D. Act the same is binding on the parties and it is not open to any one of them to claim a higher benefit or advantage than what is provided in the settlement before its terms expire. The case of the union that because the concerned compressor operators are operating machines of higher capacity they are entitled to be placed in a category higher than Cat. IV is not at all tenable. In support of its case the union relies upon the evidence of WW-1 one of the concerned compressor operators who says that he does some extra job other than the job mentioned in the Wage Board recommendations. On the basis of this evidence it is claimed that the compressor operators should be paid something more. Such a case cannot be accepted at all. I have already mentioned above that the nature of work done by a compressor operator as indicated in the Wage Board recommendations is substantially the same as deposed to by WW-1 and WM-1. WW-1 only adds in his deposition by saying that besides operating the machine by operating the switches and the valves he maintains a log book and submits report. So far as the extra work is concerned, I have already expressed above that these extra works must be taken to be a part of the duty of a compressor operator who remains in charge of a machine. So this work cannot be said to be an extra work as contemplated under Wage Board recommendations. The settlement Ext. M-1 has also been accepted by NCWA-II. An extract from NCWA-II which is marked Ext. M-3 for the management shows that in case a compressor operator operates more than one battery of compressors simultaneously he would be placed in Cat. IV. This supports my interpretation as given above to para 36 of the settlement Ext. M-1. It is not disputed that long before the dispute the concerned compressor operators have been placed in Cat. IV as per the provision 36 of Ext. M-1. Such being the position the concerned workmen according to me are not entitled to any relief and the action of the management in keeping the concerned workmen in Cat. IV even after 1st May, 1972 is justified.

5. Another point which has been raised by the management in course of hearing of the case is that Bhusan Chandra Mahato being an Asstt. Secretary of the Sudamdih Branch of the union which has its Head Quarters at Asansol is not competent to raise an industrial dispute on behalf of the union. Further it is said by the management that the number of members of the Sudamdih Branch of the union as revealed from the documents filed by the union is so little in comparison to the total number of workers working at Sudamdih that it is not possible to say that the Branch Union can raise the present industrial dispute. It is urged that a union sponsoring an industrial dispute must have a substantial number of workers in its roll before it can effectively raise the dispute. Judging from that standard it is contended by the management that a Branch Union is not competent to raise the industrial dispute. To meet the point raised by the management that an Asstt. Secretary of the Branch Union cannot represent the union a document has been filed to show by the sponsoring union that Bhusan Chandra Mahato is Joint Secretary of the union. I do not propose to deal with the point raised by the management regarding the competency of the union to raise the present industrial dispute as I have already found while discussing the merit of the case that the sponsoring union is not entitled to any relief. The reference is thus answered against the union. There will be no order for costs.

Sd/-

B. K. RAY, Presiding Officer
[No. L-20012(257)/80-D.III(A)]

New Delhi, the 5th June, 1982

Rajapur Opencast Project of Messrs Bharat Coal Limited, At and Post Office Jharia, District Dhanbad and their workmen, which was received by the Central Government on the 4th June, 1982.

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under Sec. 10(1)(d) of

I.D. Act

Reference No. 12 of 1981.

PRESENT :

Mr. Justice B. K. Ray (Retd.),
Presiding Officer.

PARTIES :

Employers in relation to the management of Rajapur Opencast Project of Messrs Bharat Coking Coal Limited, At and Post Office Jharia, District Dhanbad,

AND

Their Workmen

APPEARANCES :

For the Employers—Shri B. Joshi, Advocate.

For the Workmen—Shri S. Bose, Secretary, Rashtriya Colliery Mazdoor Sangh.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, dated, the 26th May, 1982

AWARD

By Order No. L-20012(243)/80-D. IIIA dated 27-3-1981 the Central Government being of opinion that an industrial dispute existed between the employers in relation to the management of Rajapur Opencast Project of Messrs Bharat Coking Coal Limited, At and Post Office Jharia, District Dhanbad and their workmen in respect of the matter specified in the Schedule attached to the order, referred the same for adjudication to this Tribunal.

The Schedule attached to the order reads thus.

"Whether the demand of the workmen of Rajapur Opencast Project of Messrs Bharat Coking Coal Limited, At and Post Office Jharia, District Dhanbad for regularisation of Shri Yogendra Pandey as Special Grade Clerk and designating him as Office Superintendent is justified? If so, to what relief is the said workman entitled?"

2. After notice to the parties they have filed their respective written statements and rejoinders. It is not necessary to refer in details the cases of the parties as per their pleadings as the case is a very simple one and relates to the demand of the concerned workman for regularisation as a Special Grade Clerk and for being designated as Office Supdt. At the time of hearing the union has examined the concerned workman himself and has relied upon as many as seven documents, namely, Exts. W-1 to W-7 whereas the management without examining any witness has relied upon only two documents, namely, Exts. M-1 and M-2. The language of the reference shows that the onus is upon the union. So the concerned workman himself who has been alone examined by the union asserts that he is working as Office Supdt. in Rajapur Opencast Project since April, 1977 as a permanent incumbent. Prior to that according to him he was acting as Office Supdt. in Golokdih Opencast Project for one year and before that he was working as permanent Office Supdt. in Bhowra Opencast Project. The witness further deposes that on the date of take over, i.e. 17-10-1971, he was an Accounts Clerk. The documents Exts. W-1 to W-3 which relate to the years 1975 and 1976 relied upon by the union show that the concerned workman at different times was working as Accounts Clerk and was being transferred from place to place. Ext. M-4 another document of 25-9-1975 relied upon by the union shows that the concerned workman was working as Accounts Clerk at Sub-

S.O. 2268.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Dhanbad in the industrial dispute between the employers in relation to the management of

Area Office at Bhowra. Under this document it is said by the General Manager of Area No. II that the name of the concerned workman is in the list of employees to be considered for promotion. From Ext. W-1 to W-4 it is amply clear that upto the end of 1975 the concerned workman was a Grade I Clerk. Ext. W-5 another document relied upon by the union shows that the concerned workman has been asked to work as an Office Supdt. This document is dated May, 1976. The last document Ext. W-6 relied upon by the union of June, 1977 shows that the concerned workman was a Grade I/Office Supdt. The documentary evidence relied upon by the union shows that upto the end of 1975 the concerned workman was an Accounts Clerk and that he became an Office Supdt. from May, 1976. The oral evidence of the concerned workman also is to the effect that from the year 1976 he is working as an Office Supdt. The fact that the concerned workman is working as an Office Supdt. from middle of the year 1976 which is borne out by the evidence of the workman himself as well as from the documentary evidence relied upon by the union is not seriously disputed by the management. The question for consideration therefore is as to whether as an Office Supdt. the concerned workman is entitled to Special Grade. It is not disputed that there is no post of Office Supdt. In the recommendations of the Wage Board, there is mention in the recommendations about a Head Clerk who is in Gr. I. According to the Wage Board a Head Clerk in Gr. I after acquiring sufficient experience may be promoted to Special Grade. Parties do not dispute all these before me. It is the positive case of the management in para 5 of its written statement that the post of an Office Supdt. is equivalent to the post of a Head Clerk who according to Wage Board recommendations is in Gr. I. Therefore merely because the workman is working as an Office Supdt. from middle of the year 1976 he is not entitled to claim the Special Grade unless he is promoted to that Grade by the management after acquisition of sufficient skill and experience. Admittedly there has been no such promotion so far as the workman is concerned. The promotion policy followed by the management as per Ext. M-1 shows that a clerk in Gr. I can be promoted to Special Grade on the recommendation of a D. P. C. on the basis of seniority-cum-suitability. According to this policy each year in the month of January management is to publish and notify the seniority list of all the Grade I Clerks in order to give the clerks an opportunity to know their respective positions. The promotion policy has been adopted by the management in the year 1977. There is nothing to show that the management after adoption of the promotion policy published and notified a list of seniority as provided in the policy. Management only relied upon a report of D. P. C. of the year 1982 to show that the D. P. C. did not recommend the name of the concerned workman for promotion to Special Grade. The promotion policy further says that a Clerk in Gr. I after putting in service for two years in that grade is entitled to be considered for promotion. According to this there is no doubt that the workman has become qualified for promotion by the time the promotion policy was adopted by the management in the year 1977. That an Office Supdt. belongs to Gr. I is also evident from Ext. W-6 dated 27-6-1977. It follows, therefore, that the concerned workman although posted as Office Supdt. was in Gr. I. By then the management had adopted the promotion policy as mentioned above. The union does not come forward with a case that after the promotion policy was adopted by the management it did not consider the case of the concerned workman for promotion although he was eligible for it. Promotion to a higher Grade is not a right of a workman. The workman has always the right to be considered for promotion. The union has neither pleaded nor established such a case. It only says that merely because the workman has been posted as an Office Supdt. from the middle of the year 1976 he should be regularised in Special Grade. This is neither according to the promotion policy of the management nor according to recommendations of the Wage Board. Ext. M-2 shows that the D. P. C. which considered the employees for promotion to Special Grade did not recommend the case of the concerned workman. In the absence of any material to show that the concerned workman though liable to be considered for promotion was excluded from consideration merely because the workman has been working as Office Supdt. from the year 1976 he cannot claim to be regularised in Special Grade.

For the reasons given above I hold that the demand of the union is not justified and the concerned workman is not

entitled to any benefit even though he is an Office Supdt. from 1976 as the post of an Office Supdt. as per Ext. W-6 is in Grade I. The reference is answered accordingly. In the circumstances there will be no order for costs.

B. K. RAY, Presiding Officer.

[No. L-20012 (243)/80-D, III (A)]

New Delhi, the 9th June, 1982

S.O. 2269.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, No. 3, Dhanbad in the industrial dispute between the employers in relation to the management of Jamadoba Colliery of Messrs Tata Iron & Steel Company Limited, Post Office Jamadoba, District Dhanbad and their workmen, which was received by the Central Government on the 7th June, 1982.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-1 ABOUR COURT NO. 3, DHANBAD

Reference No. 12/79

PRESENT :

Shri J. N. Singh, Presiding Officer

PARTIES :

Employers in relation to the management of Jamadoba Colliery of M/s. Tata Iron & Steel Co. Ltd., P.O. Jamadoba, District, Dhanbad;

AND

Their workmen.

APPEARANCES :

For the Employers.—Shri M. Sanyal, Advocate.

For the Workmen—Shri D. L. Sengupta.

INDUSTRY : Coal

STATE : Bihar

Dated, the 31st May, 1982

AWARD

The Govt. of India in the Ministry of Labour in exercise of the powers conferred on them U/S 10(1)(d) of the Industrial Disputes Act, 1947 (14 of 1947), has referred the dispute to this Tribunal for adjudication under Order No. L-20012/133/79-D.III(A) dated the 6th October, 1979.

SCHEDULE

Whether the demand of the workmen of Jamadoba Colliery of M/s. Tata Iron & Steel Co. Ltd., Post Office Jamadoba, Dist. Dhanbad for the payment of the same incentive to the coal transport workers as is being paid to Multi-Skilled Miners, is justified? If so, to what relief are the said workmen entitled?

2. M/s. Tata Iron and Steel Co. Ltd., have got several collieries one of which is known as Jamadoba Colliery. In this colliery in one district a new scheme was introduced for mechanically winning coal in the year 1974 and this district came to be known as scrapper mining district. In the scrapper mining district main categories of workers employed are multi-skilled miners, shifters, electro-mechanics and coal transport workers. The case of the union is that the multi-skilled miners and the coal transport workers are engaged in the production side while the electro-mechanics work on the installed machines and their duties are to maintain the technologically complicated and sophisticated machines and repair the same independently as highly technical qualified persons. The duty of the electro-mechanics consists of installing, overhauling repairing, attending break down etc. both on the electrical and mechanical side. The multi-skilled miners are engaged in winning of coal and

they work in three shifts of 8 hours each viz. A, B and C shift. A and B shifts are for production work while in C shift only maintenance work is done and no production is made. Only in exceptional cases when there is break down in A or B shifts production is carried on in C shift. The duties of the multi-skilled miners are distributed in A, B and C shifts by rotation. The multi-skilled miners get incentive bonus at a very high rate. The multi-skilled miners engaged in A and B shifts get incentive on the quantum of production made by them while the multi-skilled miners who are engaged in C shift get incentive at the rate which is an average of the earning in A and B shifts by them.

3. It is submitted that the coal transport workers viz. the concerned workmen in scrapper district also get some incentive but it is too low and it is not at par with the incentive paid to the multi-skilled miners. Previously, the electro-mechanics also used to get some incentives but they raised a dispute contending that they should get incentive at the rate at which the multi-skilled miners in C shift are getting and when the conciliation ended in failure the matter was referred by the Ministry of Labour to Central Government Industrial Tribunal No. 1, Dhanbad and was numbered as Reference No. 2/78.

4. It is submitted that in the said Reference Case the management filed their written statement in which they admitted that the normal jobs of coal transport workers are directly linked with the production of coal and other works are done by the multi-skilled miners. They also mentioned in the written statement the jobs performed by the Coal transport workers as also the multi-skilled miners. The management in that reference denied that the electro-mechanics were production workers. The Tribunal on considering the evidence on record held that the electro-mechanics should be given such incentive so as to put them at par with the non-production multi-skilled miners viz. the multi-skilled miners who work in C shift or atleast very near to the rate paid to the multi-skilled miners of C shift. The management, however, has filed a writ petition before the Patna High Court, Ranchi Bench against the said Award and it is pending adjudication before the Ranchi Bench and the operation of the award has been stayed.

5. It is then alleged that the coal transport workers mentioned in Annexure A of the written statement also represented their case and demanded that they should also be paid incentive at the rate at which the multi-skilled miners of C shift are getting because the incentives paid to them are very meagre and as they are also production workers they should get the same bonus. The conciliation proceeding ended in failure and hence the present reference was made. It is submitted that the coal transport workers in scrapper mining district should get the same incentive which the multi-skilled miners of C shift are getting and the action of the management in not paying the same is illegal and unjustified.

6. The management has challenged the claim of the concerned workmen. It is admitted by them that the multi-skilled miners who work in C shift which is a non-production shift get incentive on the average of the earning of multi-skilled miners of A and B shifts. According to them, however, the coal transport workers are the transport crews and are in time rated Category V engaged in the transportation of coal, whereas the multi-skilled miners are piece-rated workers directly responsible for production of coal in the scrapper district only and the difference is similar as that of miners/loaders and time rated trammers in conventional mining district where the former are the piece-rated workers directly involved in face production while the later are engaged in transportation work only. It is also stated that the multi-skilled miners are directly responsible for production and are required to do the job of drilling and handling of equipments, carrying stemming materials and helping short-firer in the coal production, dressing, supporting, making of Anker hole, scrapping of coal and shovelling of spilled over coal, clearing the hoist, shifting and installation of various equipments, all types of transportation job connected to the district, attend to break down of electrical/mechanical equipments etc. The jobs of transport workers

according to the management are only to operate the conveyor belt to keep the drive and tail and clean and to do small minor maintenance of the conveyor.

7. It is submitted that when the scrapper district was commissioned in the year 1974 the recognised union viz. R. C. M. S. took up the issue regarding the rate of payment to the multi-skilled miners and coal transport workers and in the meeting held on 23-8-74 the rates were fixed for the coal transport workers on time-rate basis, whereas the multi-skilled miners were given piece rate with incentive for higher production against the target fixed for the district from time to time. The coal transport workers were placed originally in time-rate Category IV as per Wage Board recommendation but an incentive was also introduced for them at the rate mentioned in the written statement. In the year 1975 demand was made for revision of the rates of wages and an agreement was reached on 25-4-75 by which the rates of wages and incentives of multi-skilled miners were revised with effect from 1-1-75. It is stated that the jobs of multi-skilled miners and coal transport workers are quite different and not identical. The multi-skilled miners are piece-rated and their earnings are directly linked with production, whereas the coal transport miners are time-rated with suitable scale of pay. The management however at the instance of the recognised union gave further benefit to the coal transport workers and they were upgraded to Category V from Category IV in the year 1977. It is submitted that since the mode of payment to the multi-skilled miners and coal transport workers is quite different so there can be no question for payment of the same incentive to the coal transport workers as is being paid to the multi-skilled miners and hence the demand of the coal transport workers are unjustified and illegal. It is submitted that the electro-mechanics on the other hand though they have got a favourable award from the Tribunal No. 1, Dhanbad but the issue is pending before the High Court and the coal transport workers cannot take advantage of the said award.

8. On the above grounds it is prayed that the Reference be decided in favour of the management.

9. The points for consideration is as to whether the demand of the workmen of Jamadoba Colliery of M/s. Tata Iron & Steel Company for the payment of the same incentive to the coal transport workers as is being paid to the multi-skilled miners is justified. If so, to what relief are the said workmen entitled.

10. Before discussing the main issue it will be proper to mention here some of the facts which are admitted or not denied. It is admitted that in the year 1974 a new mechanised scheme was introduced with the help of some French Experts for winning of coal by the present management. For that a particular district in Jamadoba mine was chosen and it came to be known as scrapper district. Some French Experts were called to give training to the workers for the said purpose. There are mainly 4 kinds of workers who work in the scrapper district which are relevant for the purpose of this Reference. They are: (1) multi-skilled miners, (2) shifters, (3) electro-mechanics, and (4) coal transport workers. The multi-skilled miners are admittedly piece-rated workers. The shifters were originally time-rated but they were merged with the multi-skilled miners and at present the shifters are also known as multi-skilled miners and they are also piece-rated. The electro-mechanics as also the coal transport workers are time-rated. It is not denied that the multi-skilled miners including the shifters are getting higher incentive on the rate of production because they are directly linked with production as they actually raise the coal. The electro-mechanics are engaged in the repair and maintenance of different equipments installed for raising coal in the scrapper district. The main duty of coal transport workers however is to watch the running of the conveyor belt which carries coal from the face to the surface. The loading on the conveyor is also made by the multi-skilled miners and not by the coal transport workers. It is also admitted as stated earlier that the multi-skilled miners are piece-rated while the coal transport workers are time-rated. Ext M-2 is the agreement which was arrived at after discussion with the union and it is dated 20-11-74. By this letter the shifters and coal transport workers were given certain incentives as mentioned in this letter. There-

after another agreement was arrived at in the year 1975 (Ex. M-1). By this agreement the rates of wages and incentives of the multi-skilled miners were revised from 1-1-75 and the rate is mentioned in this document. This document further provided that the coal transport workers will remain in the present time rate Category and their existing incentive rate should be calculated on weekly basis and not on monthly basis. It was also decided that amongst the coal transport workers if any one whose substantive post was previously piece rated and wants to go to work as multi-skilled miners they may be given chance to work as such after due training. It will also appear from Ext. W-1 which is a reply by the management to the A. L. C. during conciliation proceeding that in the meeting held on 10-2-74 the coal transport workers were placed in Category V. Thus this document would show that on representations made by the coal transport workers they were upgraded in Category V and they were also given chance to work as multi-skilled miners if they like to do so after getting usual training. Their incentive was also to be calculated on weekly basis and not on monthly basis. All these facts clearly indicate that some advantage was given to the coal transport workers but evidently they were not given the same incentive which the multi-skilled miners are getting and the reason assigned by the management is that as the multi-skilled miners are piece rated their wages and incentive depend on the amount of production made by them. But the coal transport workers are in fact not responsible for direct production of coal and they are time-rated and get fixed rate of pay. They are not entitled to get the same incentive which are paid to the multi-skilled miners. According to the management the work of the multi-skilled miners is very hard, hazardous and risky and they are given the training for a longer period and are multi-skilled while the coal transport workers are not given that training and they are not directly responsible for production.

11. For the purpose of deciding whether the coal transport workers should get the same incentive as the multi-skilled miners or not, it will be proper to look to their duties.

12. MW-1 is Md. Nayeem who is working as a multi-skilled miner. He has stated that he received the training of multi-skilled miners for 3-1/2 months and the multi-skilled miners have to perform the following jobs :

- (a) Support the face.
- (b) Drilling.
- (c) Dressing.
- (d) Water sprinkling.
- (e) Making Anchor hole.
- (f) Scrapping of coal by hoist.
- (g) Shoveling of coal with Belcha
- (h) Shifting of hoist.
- (i) Installation of hoist.
- (j) Carrying of iron khunta.
- (k) Carrying of Iron Pan and Motor and its installation and dismantling with the help of electro-mechanics.
- (l) Dressing of Roof.

It is further stated by him that the materials carried by them are not less than 3 to 4 maunds and at times they do the job of coal transport workers also and this job is very often performed in C shift when there is production. According to him the coal transport workers do the following jobs :

- (a) Checking of oil.
- (b) Clean the coal near the drive head.
- (c) Checking the screw of the scrapper.
- (d) Switch on and switch off the belt.

According to this witness the above job takes about half an hour before starting the conveyor belt and when the conveyor belt starts operation they simply attend to the working of the belt and if there is any disorder or switches off. If the belt breaks or the joint is disturbed or electro-mechanics or the multi-skilled miners attend to it. According to this witness the coal transport workers have no physical or manual work and their main job is only to switch on and switch off the conveyor belt. It is further stated by him that a coal

transport worker can never do the work of multi-skilled miners as they have no such training. Similar is the evidence of MW-2 a mining engineer. It is stated by him that once the belt is in operation the only duty of the coal transport workers is to see that it does not stop. MW-3 is Sri K. S. Singh at present working as Deputy Manager and his evidence is also the same regarding the job of multi-skilled miners and coal transport workers. MW-4 has also stated the same act so are as the job of the two categories are concerned.

13. On behalf of the workmen one Laxm Narain a Coal transport worker is the solitary witness as WW-1. He has stated the job of coal transport workers and multi-skilled miners. He has stated that the work performed by the coal transport workers are mentioned in Ext. W-6. Ext. W-6 is a letter of the management addressed to this witness in which it is stated that the said workman has been placed in Category V provided he agrees to do the job mentioned in this letter. According to the management however the jobs mentioned in Ext. W-6 are not performed by the coal transport workers but even if it be conceded that the same job as mentioned in Ext. W-6 are performed by the coal transport workers it will appear that all the jobs relate mainly to the running of the conveyor belt which transports the coal from face to the surface. None of the jobs mentioned in Ext. W-6 is connected with the actual raising or production of coal. In para 14 WW-1 has stated that the job of switching off and switching on for running the belt is done by coal transport workers and when the belt is running these workers clean the belt. They also clean the shillage at tail end and drive-end by putting the coal in course of transit of the belt. He has further stated that the coal transport workers remain standing on the junction point of the belt attending the movement of coal and when the belt is running their main responsibility is only to switch off and switch on, to clean the shillage by putting fallen coal on the belt for movement. In para 25 this witness has admitted that the coal transport workers work in two shifts A & B and A shifts is from 9 a.m. to 5 p.m. and B shift is from 5 p.m. to 1 a.m. In paras 40 & 41 this witness has given the details of the job performed by coal transport workers. He has stated that when the coal transport workers join a shift first they tighten up the belt, fix up the screws, clean the area and then the belt is switched on and the above work takes about an average of one hour and then the belt starts. He has further stated that when the belt starts running their duty is only to see that it continues running but if there is a Jam they remove the obstruction after switching off and then it is started again. In para 28 the witness was asked that suppose a multi-skilled miner do not load coal on the conveyor belt what would be the production. The reply is that in that case the production will be nil and the coal transport workers will have no work. All these facts thus clearly indicate that the main and principle duty of the coal transport worker is to see that the coal after being raised by the multi-skilled miners and after being loaded on the conveyor belt by them are carried on through the conveyor belt to the surface smoothly and for that their duty is only to see that the conveyor belt continues moving and there is no obstruction. Thus their principle duty is only to look into the running of the conveyor belt properly by which the coal is transported through the conveyor belt upto the surface. The coal transport workers thus in no way is involved in the actual raising of coal.

14. As against this the duty of a multi-skilled miner is of various types and of multi-skilled nature and as they do all types of jobs required for actual raising of the coal from the face and putting them on the conveyor belt so that they may be taken to the surface with the help of the conveyor belt which is run by the coal transport workers. Naturally they have to work very hard and their incentive depend on the actual production made by them. If they produce less coal they will get less incentive and if they produce more they will get more incentive. The decrease or increase in the production do not matter very much so far as the job of coal transport workers is concerned. If the production is more, more coal will be loaded on the same conveyor belt which is run by the coal transport workers and if the production is less, less coal will be transported through the same belt. But for all these the coal transport workers have to work for 8 hours only as they are time rated. The coal transport workers can in no way increase or decrease the actual production. It may be that they may hamper the production by putting some obstruction

so that the conveyor belt may not move and in that case the coal may be dumped for want of being transported through the belt but in any case the coal transport workers cannot increase or decrease the production. In such circumstances naturally a coal transport worker cannot be equated with a multi-skilled miner as there is vast difference between their nature of work and the risk involved. A multi skilled miner naturally has to work very hard to increase the production to get a higher incentive but that is not so in the case of coal transport workers. The job performed by a multi-skilled miner as stated by the management's witness has not been denied on behalf of the workmen.

15. The union claim the same incentive on the basis that the management in the Reference case regarding electro-mechanics before Tribunal No. 1 stated in their written statement as also in their evidence that the electro-mechanics are not productive workers whereas the coal transport workers are productive workers. It is contended on behalf of the union that as the coal transport workers are productive workers and multi-skilled miners are also productive workers hence the same incentive should be given to them. In the present case however the management has denied totally that the coal transport workers are productive workers. To falsify the contention of the management that coal transport workers are not productive workers the union has filed the written statement of the said reference case (Ext. W-3) as also the statement of Sri T. R. Rao management's witness in the aforesaid reference (Ext. W-4). Ext. W-3 the written statement of the management in the said reference would show that in para 13 the management stated that the normal job of coal transport workers are directly linked with the production of coal and other works are done by the multi-skilled miners. The said fact as mentioned in the written statement of the union filed in the present case also. Sri T. R. Rao was the Manager of Jamadoba Colliery and he was examined as management witness in the said reference case. He has stated in that reference case that the coal transport workers do the production work. It was submitted on behalf of the union that as it was admitted by the management that the coal transport workers are productive workers and so they cannot now esile from the said admission. On behalf of the management however it is submitted that the aforesaid statements were made for the purpose of that case only and it is not binding in the present case. They have rather tried to disown the written statement as also the statement of the management made in the said reference. It will appear that the written statement of that reference was signed by one Sri G. Prasad, Divisional Manager Collieries. The present written statement has also been signed by him. MW-3 in his cross-examination has stated that though Sri G. Prasad is superior to him but this witness has got more knowledge than Sri Prasad. MW-4 Sri P. N. Singh who is Project Manager under F.I.S. Co. has stated that he used to supervise the training given by the French Expert and he was Manager of Jamadoba Colliery from 1979. He has stated in para 5 that Sri G. Prasad has no technical qualification and had never seen the working of coal transport workers in a scrapper district and so as contended by him the statement of the management that the coal transport workers are productive workers should not be taken as correct. Sri T. R. Rao who was examined as management's witness in that reference case in his evidence has stated that Sri G. Prasad had no discussion with him before filing the written statement and that Sri G. Prasad has no training in mining and by stating that the coal transport workers are productive workers he simply meant that as compared to electro-mechanics coal transport workers were nearer to production work when compared with multi-skilled miners.

16. Be whatever it may it cannot be denied that in the reference case relating to electro-mechanics the management admitted that the coal transport workers are productive workers and they now in the present case cannot disown the said statement and it cannot be said that the coal transport workers has nothing to do with the production. It is the coal transport workers who helps in transport of coal from face to surface and in that sense the coal transport workers are linked with the production but on the other hand from the evidence on record it cannot be held on any account that the job of a coal transport worker is of the same nature as of a multi-skilled miner. It is multi-skilled miner who actually produces coal and has to labour hard for it. The job of a coal transport workers is linked with production only to the

extent that he helps in transporting of coal through the conveyor belt from face to the surface and to that extent only he is nearer to the multi-skilled miner than an electro-mechanic and in that sense he is productive worker.

17. But simply because a coal transport worker is termed as a productive worker that alone will not entitle him to get the same incentive which the multi-skilled miner of shift C is getting because the multi-skilled miners has to labour hard and they are actually responsible for actual production of coal. They work in three shifts by rotation and naturally therefore for C shift which is a non-productive shift they get incentive on the average of earning of shifts A & B. From the record it has been found that the coal transport workers were originally in Category IV but they have been given category V in scrapper district. The coal transport workers in conventional district are still in Category IV. The incentive given to them is also calculated on weekly basis. They are also getting fixed pay as they are time rated but it is not so with the multi-skilled miners who are piece-rated. The duties of the two categories are quite different from one another and they cannot be put at par so far as incentive is concerned.

18. After discussing the main issues it will now be proper at this stage to dispose of some minor issues also raised by the parties in the terms of Reference the number of coal transport workers employed in the scrapper district is not mentioned. The union however in their written statement has stated that the workmen mentioned in Annexure A of the written statement are engaged as coal transport workers. Annexure 'A' will show that they are 35 in numbers. MW-3 Sri R. S. Singh Dy. Manager has stated in para 2 of his deposition that out of 35 workmen mentioned in Annexure A of the written statement of the union, Sl. Nos. 25, 26, 27, 29, 30 and 28 do not belong to scrapper district. This statement is evidently an after thought and cannot be taken into consideration as no such plea was taken by the management in their written statement. Further in para 2 of the written statement of the union it is clearly stated that the workmen mentioned in the list marked Annexure A to this statement are the coal transport workers in the scrapper district. The management has filed a rejoinder to the above written statement filed on behalf of the union. In para 1 of the rejoinder the management has clearly stated that the statements made in para 1 and 2 of the written statement of the union are substantially correct. Thus they virtually admit that all the 35 workmen mentioned in Annexure A of the written statement of the union are coal transport workers in scrapper district. If the management had to deny the said fact they could easily have mentioned in the written statement that such and such workers were not the coal transport worker in the scrapper district. The above contention of the management, therefore, cannot be taken into consideration and it cannot be held that the said workmen are not workmen in the scrapper district.

19. It was next contended on behalf of the management that the terms of reference no where shows that the reference is regarding the coal transport workers of scrapper district only. It is stated by them that the coal transport workers are engaged in conventional district also and the union now in evidence want to limit the coal transport workers of scrapper district only and not of conventional district. According to them the Tribunal cannot go beyond the terms of Reference and cannot limit the scope of this reference to coal transport workers of scrapper district only. In support of it certain things has also been quoted by the management to show that a Tribunal cannot go beyond the terms of reference.

20. This Tribunal is however not going beyond the terms of reference. It cannot be disputed that the reference is to be read along with the pleadings of the parties. From the pleadings of the parties it is clear that both the parties have limited their dispute to the coal transport workers of scrapper district only and the evidence has also been led to that effect only. This Court has to give its decision regarding the coal transport workers of the scrapper district only and be doing so it is not going beyond the terms of reference. The issue has rather been limited and has not been allowed to go beyond the terms of reference and so this Court is perfectly within its jurisdiction to decide about the issues of coal transport workers of scrapper district only. The said contention of the management therefore fails.

21. Ext. W-2 is a rejoinder on the comment of the management Ext. W-1 sent before the A. L. C. Exts. W-7 Q W-8 are pay sheets of the multi skilled miners and the coal transport workers but they are not at all material as they do not show actually what amount is being paid as incentive to the multi-skilled miners or the coal transport workers Ext. M-3 is a letter showing appointment of certain workers as coal transport worker which is not at all relevant for the purpose of this case. Ext. M-5 to M-10 are certain letters showing neglect of work by coal transport workers but they are all after the present reference and are not at all relevant in this case. Similarly Ext. M-19, 20, 21 are also not material.

22. As stated earlier the demand of the union is that the coal transport workers should get the same incentive as is given to the multi-skilled miners of C shift. But from the evidence on record as also from the facts and circumstances of the case it is clear that what to speak of the same incentive the limited incentive as demanded by the coal transport worker is also not justified.

23. Considering the entire evidence on record I hold that the demand of the coal transport workers that they should get the same incentive as is being paid to the multi skilled miners of even C shift is not justified and the workmen are not entitled to any relief.

24. I give my award accordingly.

J. N. SINGH, Presiding Officer
[No. L-20012 (133)/79-D. III (A)]

A. V. S. SARMA, Desk Officer

नई दिल्ली, 7 जून, 1982

क्रा० आ० 2270—केन्द्रीय सरकार का यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ह) के उपखण्ड (6) के उपबन्धों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना क्र. 46 तारीख 2 जनवरी, 1982 द्वारा सिक्सपैपरी पेपर मिल हौशंगाबाद को उक्त अधिनियम के प्रयोजनों के लिए 18 दिसम्बर, 1981 से छ. मास का कालावधि के लिए लोक उपयोगी सेवा घोषित किया था।

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छ. मास का और कालावधि के लिए बढ़ाया जाना अपेक्षित है;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ह) के उपखण्ड (6) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 18 जून, 1982 से छ मास का और कालावधि के लिए लोक उपयोगी सेवा घोषित करता है।

[सं० एम-11017/10/81-डी 17]

New Delhi, the 7th June, 1982

S.O. 2270.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour No. S.O. 46 dated the 2nd January, 1982, the Security Paper Mill, Hoshangabad, to be public utility service for the purposes of the said Act, for a period of six months, from the 18th December, 1981.

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby declares the said industry to be public utility service for the purpose of the said Act, for a further period of six months from the 18th June, 1982.

[No S-1107(10)/81-D I-A]

क्र.०आ० 2271—केन्द्रीय सरकार का यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ह) के उपखण्ड (6) के उपबन्धों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना सं. क्र. 46 तारीख 14 दिसम्बर, द्वारा दिल्ली मिल्क स्कीम को उक्त अधिनियम के प्रयोजनों के लिए 18 दिसम्बर, 1981 से छ मास की कालावधि के लिये लोक उपयोगी सेवा घोषित किया था,

और केन्द्र सरकार की राय है कि लोकहित में उक्त कालावधि को छ मास की और कालावधि के लिये बढ़ाया जाना अपेक्षित है;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ह) के उपखण्ड (6) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 23 जून, 1982 से छ मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करता है।

[सं० एम-11017/14/81-डी० आई० ए०]

एल० के० नारायणन, अधीक्षक सचिव

S.O. 2271.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour No. S.O. 46 dated the 14th December, 1981 the Delhi Milk Scheme to be a public utility service for the purposes of the said Act, for a period of six months, from the 23rd December, 1981;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 23rd June, 1982.

[File No. S-11017/14/81/DIA]

L. K. NARAYANAN, Under Secy

नई दिल्ली 8 जून 1982

क्र.०आ० 2272—गुजरात राज्य सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खण्ड (ब) के अनुसरण में श्री एम० एम० दयाल के स्थान पर श्री एन० चिट्ठल, सचिव, गुजरात सरकार, स्वास्थ्य और परिवार कल्याण विभाग को कर्मचारी राज्य बीमा निगम में उस राज्य का प्रतिनिधित्व करने के लिए नाम निर्दिष्ट किया है,

अतः अब केन्द्रीय सरकार कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के अनुसरण में, भारत सरकार के श्रम

मंत्रालय की अधिसूचना संख्या का. आ० 850(अ), दिनांक 21 अक्तूबर, 1980 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, “(राज्य सरकारों द्वारा धारा 4 के खण्ड (घ) के अधीन नामनिर्दिष्ट)” शीर्षक के नीचे मद 11 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

श्री एन० व्हिटल,
सचिव, गुजरात सरकार,
स्वास्थ्य और परिवार कल्याण विभाग,
सचिवालय, गांधीनगर-382010

[संख्या यू०-16012/17/80-एच० आ०]

New Delhi, the 8th June, 1982

S.O. 2272.—Whereas the State Government of Gujarat has, in pursuance of clause (d) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Shri N. Vittal, Secretary to the Government of Gujarat, Health and Family Welfare Department to represent that State on the Employees' State Insurance Corporation, in place of Shri M. S. Dayal;

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour No. 850(E), dated the 21st October, 1980, namely :—

In the said notification, under the heading “[Nominated by the State Governments under clause (d) of section 4]”, for the entry against Serial Number 11, the following entry shall be substituted, namely :—

Shri N. Vittal,
Secretary to the Govt. of Gujarat,
Health and Family Welfare Department,
Sachivalaya, Gandhinagar-382010.

[No. U-16012/17/80-H.I.]

नई दिल्ली, 9 जून, 1982

का० आ० 2273—राज्य सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खण्ड (घ) के अनुसरण में श्री भागीरथ गोवर्धन के स्थान पर श्री कल्याण राय, सचिव, उड़ीसा सरकार को कर्मचारी राज्य बीमा निगम में उस राज्य का प्रतिनिधित्व करने के लिए नामनिर्दिष्ट किया है;

अतः अब केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के अनुसरण में, भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का० आ० 850(अ), दिनांक 21 अक्तूबर, 1980 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, “(राज्य सरकारों द्वारा धारा 4 के खण्ड (घ) के अधीन नामनिर्दिष्ट)” शीर्षक के नीचे मद 21 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

“श्री कल्याण राय,
सचिव, उड़ीसा सरकार,
श्रम एवं राजस्व विभाग,
भुवनेश्वर।”

[संख्या यू०-16012/17/81-एच० आ०]

New Delhi, the 9th June, 1982

S.O. 2273.—Whereas the State Government of Orissa has, in pursuance of clause (d) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Shri Kalyan Ray, Secretary to the Govt. of Orissa to represent that State on the Employees' State Insurance Corporation, in place of Shri Bhagey Gobardhan;

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour No. 850(E), dated the 21st October, 1980, namely :—

In the said notification, under the heading “[Nominated by the State Governments under clause (d) of section 4]”, for the entry against Serial Number 21, the following entry shall be substituted, namely :—

“Shri Kalyan Ray,
Secretary to the Govt. of Orissa,
Labour and Employment Department,
Bhubaneswar.”

[No. U-16012/9/81-H.I.]

का० आ० 2274—राज्य सरकार ने कर्मचारी राज्य बीमा अधिनियम 1948 (1948 का 34) की धारा 4 के खण्ड (घ) के अनुसरण में श्री एलेक्जेंडर के स्थान पर श्री पी० डी० शेनोय, सचिव, कर्नाटक सरकार को कर्मचारी राज्य बीमा निगम में उस राज्य का प्रतिनिधित्व करने के लिए नामनिर्दिष्ट किया है,

अतः अब केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का० आ० 850(अ), दिनांक 21 अक्तूबर, 1980 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, “(राज्य सरकारों द्वारा धारा 4 के खण्ड (घ) के अधीन नामनिर्दिष्ट)” शीर्षक के नीचे मद 15 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

“श्री पी० डी० शेनोय,

सचिव

कर्नाटक सरकार, समाज कल्याण और

श्रम विभाग, बंगलूर।”

[संख्या यू०-16012/9/82-एच० आ०]

ए० के० भट्टराई, सचिव

S.O. 2274.—Whereas the State Government of Karnataka has, in pursuance of clause (d) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Shri P. D. Shenoy, Secretary to the Government of Karnataka to represent that State on the Employees' State Insurance Corporation, in place of Shri J. Alexander;

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour No. 850(E), dated the 21st October, 1980, namely :—

In the said notification, under the heading “[Nominated by the State Governments under clause (d) of section 4]”, for the entry against Serial Number 15, the following entry shall be substituted, namely :—

“Shri P. D. Shenoy,
Secretary to the Govt. of Karnataka,
Social Welfare and Labour Deptt.,
Bangalore.”

[No. U-16012/9/82-H.I.]

A. K. BHATTARAI, Under Secy.

New Delhi, the 9th June, 1982

S.O. 2275.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, No. 3, Dhanbad, in the industrial dispute between the employers in relation to the management of Ningha Colliery of Eastern Coalfields Limited and their workmen, which was received by the Central Government on the 5th June, 1982.

**BEFORE THE CENTRAL GOVT. INDUSTRIAL
TRIBUNAL-CUM-1 ABOUR COURT NO. 3, DHANBAD**

Reference No. 78/80

PARTIES :

Employers in relation to the management of Ningha Colliery, Ningha Sub-Area of Eastern Coalfields Ltd., Burdwan.

AND

Their Workmen.

APPEARANCES :

For the Employers—Sri T. P. Chowdhury, Advocate.
For the Workmen—Sri B. Lal, Advocate.

INDUSTRY : COAL

STATE : West Bengal.

Dated, the 1st June, 1982.

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them U/s 10(1)(d) of the Industrial Disputes Act, 14 of 1947 has referred the dispute to the Central Govt. Industrial Tribunal-cum-Labour Court, Calcutta. Subsequently by Order No. S-11025 (4)/80-D, IV(B) dated 14th/17th November, 1980 the dispute has been transferred to this Tribunal for adjudication.

SCHEDULE

"Whether the action of the management of Ningha Sub-Area of Eastern Coalfields Ltd., Burdwan in dismissing Shri Dokani Nunia and Smt. Shyama Nunia, Wagon Loader of Ningha Colliery, with effect from the 30th April, 1976 is justified? If not to what relief are the concerned workmen entitled?"

2. Both the workmen concerned are husband and wife and the present reference is regarding the justification or otherwise of their dismissal from service with effect from 30th April, 1976. The case of the concerned workmen is that they were chargesheeted on 16th January, 1976 for stealing coal from Ningha Colliery and according to the chargesheet about 6 tonnes of coal was lying found in front of their quarters. It is stated that the enquiry held against them was illegal and unjustified and that they were not given opportunity to defend themselves. It is further stated that the management had also lodged a F. I. R. with the Jamuria Police Station through one Sri Sheo Prasad Singh Security Guard of the colliery. According to him the two workmen had stolen Kuchha coal but the Jamuria Police could see only soft coal in front of the quarters of the two concerned workmen. It is further stated that both the concerned workmen were being supplied one and half ton of coal each for their domestic consumption but this fact was not considered by the Enquiry Officer. It is submitted that the order of dismissal is illegal, mala fide and unjustified and hence the concerned workmen are entitled to be reinstated with full back wages.

3. The present reference had originally been referred to Calcutta Tribunal where the management filed their written statement challenging the allegations of the concerned workmen. The reference was however transferred to this Court in January 81. Before this Court the management has filed an amendment in their written statement filed before

the Calcutta Tribunal on the ground that the written statement filed in Calcutta Tribunal did not contain certain specific facts.

4. According to the management on 9th January, 1976 at about 9-30 a.m. the Security Guard of the colliery found the two concerned workmen carrying coal from the colliery depot along with their son viz. Rambaran Nunia. The concerned workmen were employees of the colliery and had been provided with residential accommodation in the colliery dhowra. The Security Guard found about 3 tons of coal lying heaped in front of the residence of the concerned workmen. The matter was reported to the Manager who asked the Surveyor to measure the coal. Thereafter Rambaran Nunia son of the concerned workmen was sent to Jamuria Police Station along with the report of the Manager where the F. I. R. was lodged. It is submitted that the coal recovered was selected grade A coal which should not be used for fuel purpose and that fuel coal was supplied to the workmen from Sripur Seam Incline. A departmental enquiry was held in which the concerned workmen were found guilty and hence they were dismissed. According to the management the dismissal is legal and justified and the concerned workmen are not entitled to any relief.

5. The point for consideration is as to whether the action of the management in dismissing the two concerned workmen with effect from 30th April, 1976 is justified.

6. Besore this Tribunal the management filed a petition stating that the enquiry proceeding had been filed before the Calcutta Tribunal but later on it was found that the entire enquiry proceeding had been interpolated and so the management do not rely on the said enquiry and hence they may be permitted to prove the charge against the concerned workmen by adducing evidence before this Tribunal. Accordingly the management has given a go by to the enquiry proceeding and has adduced fresh evidence in support of the action taken by them.

7. It is therefore to be seen as to whether the misconduct of them has been proved against the concerned workmen or not. The management has filed the two chargesheets Exts. M-1 and M-1/1 along with the reply of the concerned workmen. Ext. M-2 is a fresh notice directing the concerned workmen to receive the charges. Ext. M-3 is the recommendation by the Asstt. Personnel Officer recommending dismissal of the concerned workmen and Exts. M-4 and M-4/1 are the order of dismissal duly approved by the competent authority. The dismissal of the concerned workmen is admitted.

8. The only witness examined on behalf of the concerned workmen is Smt. Shyama Nunia one of the concerned workmen. She has denied that she or her husband or her son was ever apprehended by the management while stealing coal. She has further stated that no criminal case was ever instituted against them either before the Police or before any criminal Court. As against this there is evidence of the management that when the two concerned workmen were apprehended while carrying coal the matter was reported to the Police. On the basis of statement of WW-1 it has been argued on behalf of the workmen that no Police case was ever instituted and if such a case would have been instituted the police would have submitted chargesheet and the case would have been tried before the Criminal Court. But no document has been filed to prove that such a Police case was instituted or any chargesheet was submitted. It is also contended that even the F. I. R. has not been filed. The concerned workmen has thus totally denied about the lodging of any police case but this evidence of theirs is against their own pleadings. In the written statement filed before the Tribunal it is admitted by them that the Police had inspected their quarter and also found heaps of coal lying there though according to the workmen the coal belonged to them as their fuel coal. Thus it is clear that a Police case had been instituted against the concerned workmen and they cannot resile from the above fact.

9. As the management has not relied on the domestic enquiry it is to be seen as to whether on the evidence adduced before this Court the charge of theft is proved against the concerned workmen or not. MW-1 is Sri R. M.

Purekar, Agent of the management. He was Manager of Ningha Colliery during the relevant period. He has stated that on 9th January, 1976 at about 9.30 a.m. two office security guards viz. Sheo Prasad and Deo Kumar reported to him that the concerned workmen along with their son Rambharan Nunia were pilfering coal from the selected A grade coal depot and they were given a chase by them. While Rambharan apprehended at his quarter the other two fled away. The security guard also found a huge quantity of coal in front of their quarters. The manager then ordered to shift the coal from the quarter to office premises and the colliery Surveyor was directed to measure the quantity of coal and thereafter Rambharan Nunia along with the coal and a letter was sent to Jamuria Police station escorted by the same two security guards. The Surveyor reported about the measurement which was about 3 tonnes of selected A grade coal. He has further stated that A grade coal is not supplied for fuel purposes. This witness has further stated that after enquiry by Sri R. T. Sharma the concerned workmen were dismissed. He has however stated that at the time of drafting of the written statement it was found that the enquiry report and proceeding had been tampered with and the report sent to the Police was also missing and hence he was advised to ignore the enquiry and adduce fresh evidence before the Tribunal. There is nothing in the cross-examination of this witness who is a high official of the colliery to disbelieve his testimony. There is no allegation that the dismissal was due to any trade union activity or by way of unfair labour practice. The concerned workmen are poor labourers and there is absolutely no reason as to why the manager would come to give a concocted evidence against them.

10. MW-2 is Sri D. N. Mukherjee working as Surveyor. He has stated that as per order of the manager he went in front of the quarter of the concerned workmen and measured the coal which was roughly about 3 tonnes. He gave a report to the manager. The report was prepared by him in duplicate and the duplicate has been filed and marked Ext. M-5. This witness has also supported the case of the management.

11. On the point of theft the two security guards viz. Deo Kumar Singh and Sheo Prasad Singh have been examined as MW-4 and MW-3 respectively. MW-3 Sheo Prasad Singh has stated that while he was on duty on the relevant date and time he saw the concerned workmen carrying coal on Jhoora on their head. He followed them and also called MW-4 Deo Kumar Singh who was on duty in another depot. They went upto the quarter of the concerned workmen where they found huge quantity of coal deposited. They caught Rambharan and brought him before the manager and reported the fact. The coal was measured by the Surveyor and then they took Rambharan to Jamuria Police Station with coal and a slip from Manager-saheb. Both these witnesses have given consistent version and the only suggestion put to them is that the entire occurrence is false and they have given false statement at the instance of the Manager. It may be stated that there is no allegation of the concerned workmen that they had any grudge against any of the management witnesses. In fact MW-1 has stated that the had no 'ihanjhat' or any enmity against any of the M.Ws. In such circumstances there is no reason as to why the concerned workmen will be implicated falsely in a criminal case of theft and be dismissed. As stated earlier there is no evidence at all regarding unfair labour practice or trade union activities.

12. Considering the entire evidence on record, I hold that the charge of misconduct regarding theft of coal is well proved against the concerned workmen and they were rightly dismissed from their services. The dismissal accordingly is held to be justified.

1. It may however be mentioned that one of the concerned workmen viz. Dokani Nunia is living seriously ill. The other concerned workman is his wife. They are poor labourers. The learned Advocate for the management stated that in the given circumstances that the concerned workmen are very poor he will report to the management to consider their case sympathetically and give them some employment to earn their bread.

14. Though the dismissal is justified but considering the poverty of the concerned workmen the management should consider the desirability of giving them re-employment without any back wages.

15. The award is given accordingly.

Sd/-

J. N. SINGH, Presiding Officer

[No. L-19012(33)/76-D. IV(B)]

S. S. MEHTA, Desk Officer

नई दिल्ली, 10 जून, 1982

का० आ० 2276.-बोनस संवाय अधिनियम, 1965 (1965 का 21) की धारा 27 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इस विषय पर सभी पिछली अधिसूचनाओं का अधिग्रहण करते हुए, केन्द्रीय सरकार नीचे दी गई मारपी के स्तंभ (1) में विनिर्दिष्ट अधिकारियों को, उनके स्तंभ (2) की तदव्यापी प्रविष्टियों में विनिर्दिष्ट सीमाओं के भीतर, उक्त अधिनियम के प्रयोजनों के लिए निरीक्षक नियुक्त करती है :

सारणी

अधिकारी	क्षेत्राधिकार
1	2
I. 1. मुख्य अमायुक्त (केन्द्रीय), नई दिल्ली। 2. उप मुख्य अमायुक्त (केन्द्रीय), नई दिल्ली। 3. प्रादेशिक अमायुक्त (केन्द्रीय), नई दिल्ली। 4. सहायक अम-अमायुक्त (केन्द्रीय), नई दिल्ली। 5. अम प्रवर्तन अधिकारी (केन्द्रीय), नई दिल्ली।	सम्पूर्ण भारत
II. 1. प्रादेशिक अम-अमायुक्त (केन्द्रीय), मुम्बई। 2. मुम्बई क्षेत्र के सभी सहायक अम-अमायुक्त (केन्द्रीय)। 3. मुम्बई क्षेत्र के सभी अम प्रवर्तन अधिकारी (केन्द्रीय)।	महाराष्ट्र राज्य और गोवा, वसण और दीव तथा दादरा और मांगर द्वीपी संघ राज्य क्षेत्र।
III. 1. प्रादेशिक अम अमायुक्त (केन्द्रीय) कलकत्ता। 2. कलकत्ता क्षेत्र के सभी सहायक अम-अमायुक्त (केन्द्रीय)। 3. कलकत्ता क्षेत्र के सभी अम प्रवर्तन अधिकारी (केन्द्रीय)।	पश्चिमी बंगाल राज्य (बर्दवान, बीरभूम, बांकुरा और पुरुलिया को छोड़कर), सिक्किम और अंडमान तथा निकोबार द्वीपसमूह संघ राज्य क्षेत्र।
IV. 1. प्रादेशिक अम-अमायुक्त, (केन्द्रीय), मद्रास। 2. मद्रास क्षेत्र के सभी सहायक अम अमायुक्त (केन्द्रीय)। 3. मद्रास क्षेत्र के सभी अम प्रवर्तन अधिकारी (केन्द्रीय)।	तमिलनाडु और केरल राज्य तथा पाण्डिचेरी और लक्षद्वीप संघ राज्य क्षेत्र।
V. 1. प्रादेशिक अम-अमायुक्त, (केन्द्रीय), जबलपुर। 2. जबलपुर क्षेत्र के सभी सहायक अम-अमायुक्त (केन्द्रीय)। 3. जबलपुर क्षेत्र के सभी अम प्रवर्तन अधिकारी (केन्द्रीय)।	मध्य प्रदेश राज्य

1	2
VI 1 प्रादेशिक श्रम-प्रायुक्त (केन्द्रीय), कानपुर। 2 कानपुर क्षेत्र के सभी सहायक श्रम-प्रायुक्त (केन्द्रीय)। 3 कानपुर क्षेत्र के सभी श्रम प्रवर्तन अधिकारी (केन्द्रीय)।	उत्तर प्रदेश राज्य तथा दिल्ली संघ राज्य क्षेत्र।
VII 1 प्रादेशिक श्रम-प्रायुक्त (केन्द्रीय), धनबाद। 2 धनबाद क्षेत्र के सभी सहायक श्रम-प्रायुक्त (केन्द्रीय)। 3 धनबाद क्षेत्र के सभी श्रम प्रवर्तन अधिकारी (केन्द्रीय)।	बिहार राज्य
VIII 1 प्रादेशिक श्रम-प्रायुक्त (केन्द्रीय), हैदराबाद। 2 हैदराबाद क्षेत्र के सभी सहायक श्रम-प्रायुक्त (केन्द्रीय)। 3 हैदराबाद क्षेत्र के सभी श्रम प्रवर्तन अधिकारी (केन्द्रीय)।	आन्ध्र प्रदेश राज्य
IX 1 प्रादेशिक श्रम-प्रायुक्त (केन्द्रीय), अजमेर। 2 अजमेर क्षेत्र के सभी सहायक श्रम-प्रायुक्त (केन्द्रीय)। 3 अजमेर क्षेत्र के सभी श्रम प्रवर्तन अधिकारी (केन्द्रीय)।	राजस्थान और गुजरात राज्य
X 1 प्रादेशिक श्रम-प्रायुक्त (केन्द्रीय), आसनसोल। 2 आसनसोल क्षेत्र के सभी सहायक श्रम-प्रायुक्त (केन्द्रीय)। 3 आसनसोल क्षेत्र के सभी श्रम प्रवर्तन अधिकारी (केन्द्रीय)।	पश्चिमी बंगाल राज्य में बर्धमान, बोरभूम, बांकुरा और पुरुलिया जिले।
XI 1 प्रादेशिक श्रम-प्रायुक्त (केन्द्रीय), भुवनेश्वर। 2 भुवनेश्वर क्षेत्र के सभी सहायक श्रम-प्रायुक्त (केन्द्रीय)। 3 भुवनेश्वर क्षेत्र के सभी श्रम प्रवर्तन अधिकारी (केन्द्रीय)।	उड़ीसा राज्य
XII 1 प्रादेशिक श्रम प्रायुक्त (केन्द्रीय), चंडीगढ़। 2 चंडीगढ़ क्षेत्र के सभी सहायक श्रम-प्रायुक्त (केन्द्रीय)। 3 चंडीगढ़ क्षेत्र के सभी श्रम प्रवर्तन अधिकारी (केन्द्रीय)।	हिमाचल प्रदेश, हरियाणा, पंजाब और जम्मू-कश्मीर राज्य तथा चंडीगढ़ संघ राज्य क्षेत्र।
XIII 1 प्रादेशिक श्रम प्रायुक्त (केन्द्रीय), गोहाटी। 2 गोहाटी क्षेत्र के सभी सहायक श्रम प्रायुक्त (केन्द्रीय)। 3 गोहाटी क्षेत्र के सभी श्रम प्रवर्तन अधिकारी (केन्द्रीय)।	असम, नागालैंड, मेघालय, त्रिपुरा, मणिपुर राज्य तथा अरुणाचल प्रदेश तथा मिज़ोरम संघ-राज्य क्षेत्र।

1	2
XIV 1 प्रादेशिक श्रम-प्रायुक्त (केन्द्रीय), बंगलौर। 2 बंगलौर क्षेत्र के सभी सहायक श्रम प्रायुक्त (केन्द्रीय)। 3 बंगलौर क्षेत्र के सभी श्रम प्रवर्तन अधिकारी (केन्द्रीय)।	कर्नाटक राज्य

[एत०-33012/7/81-कल्यू० सी०]

के० के० हाडा, श्रम सचिव

New Delhi, the 10th June, 1982

S. O. 2276:—In exercise of the powers conferred by sub-section (1) of section 27 of the Payment of Bonus Act, 1965 (21 of 1965) and in supersession of all the previous notifications on the subject the Central Government hereby appoints the officers specified in column (1) of the Table below to be Inspectors for the purposes of the said Act within the limits specified in the corresponding entry in column (2) thereof:

TABLE

Officers	Limits
1	2
I. 1. Chief Labour Commissioner (Central), New Delhi. 2. Deputy Chief Labour Commissioner (Central), New Delhi. 3. Regional Labour Commissioner (Central), New Delhi. 4. Assistant Labour Commissioners (Central), New Delhi. 5. Labour Enforcement Officers (Central), New Delhi	Whole of India
II. 1. Regional Labour Commissioner (Central) Bombay. 2. All Assistant Labour Commissioners (Central) in the Bombay Region. 3. All Labour Enforcement Officers (Central) in the Bombay Region.	State of Maharashtra and the Union territories of Goa, Daman and Diu and Dadra and Nagar Haveli.
III. 1. Regional Labour Commissioner, (Central), Calcutta. 2. All Assistant Labour Commissioners (Central) in the Calcutta Region. 3. All Labour Enforcement Officers (Central) in Calcutta Region.	State of West Bengal (excluding the Districts of Burdwan, Birbhum, Bankura and Purulia), Sikkim and the Union Territory of Andaman and Nicobar Islands;
IV. 1. Regional Labour Commissioner (Central), Madras. 2. All Assistant Labour Commissioners (Central) in the Madras Region. 3. All Labour Enforcement Officers (Central) in the Madras Region.	State of Tamil Nadu and Kerala and the Union Territories of Pondicherry and Lakshadweep.

1	2	1	2
V. 1. Regional Labour Commissioner (Central), Jabalpur. 2. All Assistant Labour Commissioners (Central) in the Jabalpur Region. 3. All Labour Enforcement Officers (Central) in the Jabalpur Region.	State of Madhya Pradesh	X. 1. Regional Labour Commissioner (Central), Asansol. 2. All Assistant Labour Commissioners (Central) in the Asansol Region. 3. All Labour Enforcement Officers (Central) in the Asansol Region.	Districts of Bardwan, Bobbhum, Bankura and Purulia in the State of West Bengal.
VI. 1. Regional Labour Commissioner (Central) Kanpur. 2. All Assistant Labour Commissioners (Central) in the Kanpur Region. 3. All Labour Enforcement Officers (Central) in the Kanpur Region.	State of Uttar Pradesh and the Union Territory of Delhi.	XI. 1. Regional Labour Commissioner, (Central), Bhubaneswar. 2. All Assistant Labour Commissioners (Central) in the Bhubaneswar Region. 3. All Labour Enforcement Officers (Central) in the Bhubaneswar Region.	State of Orissa.
VII. 1. Regional Labour Commissioner (Central), Dhanbad. 2. All Assistant Labour Commissioners (Central) in the Dhanbad Region. 3. All Labour Enforcement Officers (Central) in the Dhanbad Region.	State of Bihar.	XII. 1. Regional Labour Commissioner (Central), Chandigarh. 2. All Assistant Labour Commissioners (Central) in the Chandigarh Region. 3. All Labour Enforcement Officers (Central) in the Chandigarh Region.	States of Himachl Pradesh, Haryana, Punjab, Jammu and Kashmir and the Union Territory of Chandigarh.
VIII. 1. Regional Labour Commissioner (Central), Hyderabad. 2. All Assistant Labour Commissioners (Central) Hyderabad Region. 3. All Labour Enforcement Officers (Central) in the Hyderabad Region.	State of Andhra Pradesh	XIII. 1. Regional Labour Commissioner (Central) Gauhati 2. All Assistant Labour Commissioners (Central) in the Gauhati Region. 3. All Labour Enforcement Officers (Central) in the Gauhati Region.	States of Assam, Nagaland, Meghalaya Tripura, Manipur and the Union Territories of Arunachal Pradesh and Mizoram.
IX. 1. Regional Labour Commissioner (Central), Ajmer. 2. All Assistant Labour Commissioners (Central) in the Ajmer Region. 3. All Labour Enforcement Officers (Central) in the Ajmer Region.	State of Rajasthan and Gujarat.	XIV. 1. Regional Labour Commissioner (Central), Bangalore. 2. All Assistant Labour Commissioners (Central) in the Bangalore Region. 3. All Labour Enforcement Officers (Central) in the Bangalore Region.	State of Karnataka.

[S. 33012/7/81—W.B.]
K. K. HANDA, Under Secy.